

**STATE OF NEW JERSEY
AGRICULTURE RETENTION AND DEVELOPMENT PROGRAM**

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION # FY2013R1(3)

REQUEST FOR EXTENSION OF PROJECT APPROVAL

ATLANTIC COUNTY

DANIEL AND MARGARET CZARNIAK

JANUARY 24, 2013

WHEREAS, the State Agriculture Development Committee (SADC) has received the request for extension of project approval application from the State Soil Conservation Committee (SSCC) for the **Daniel and Margaret Czarniak, SADC ID#01-0043-8F**, concerning the parcel of land located in the Town of Hammonton, County of Atlantic; and

WHEREAS, the SSCC has reviewed specific reasons for extension related to seasonal constraints and the project was not completed with the first phase due to extreme weather conditions as a result of Hurricane Sandy, as stated by the landowners, and on January 14, 2013, the SSCC approved the request for extension of 12 months for installation of previously approved projects pursuant to N.J.A.C. 2;76-5.4(d)2; and

WHEREAS, the SADC has reviewed said request for extension of project approval application from the above landowners pursuant to 2:76-5.4(d)2; and

WHEREAS, on November 5, 2009, the SADC approved a soil and water state cost-share grant in the amount of \$12,240.00, for approved projects submitted by the above landowners (at 50% cost share); and

WHEREAS, the landowners have expended the amount of \$6,974.38 to date and have requested the balance in the amount of \$5,265.62 to be extended until November 5, 2013; and

NOW THEREFORE BE IT RESOLVED, that the SADC, under the authority of N.J.A.C. 2;76-5.4(d)2, approves the extension of the term of obligation for a cost share grant in the amount of \$5,265.62 until November 5, 2013, with no further extension for **Daniel and Margaret Czarniak, SADC ID#01-0043-8F**, Town of Hammonton, County of Atlantic, subject to available funds; and

BE IT FURTHER RESOLVED, that the project must be completed by November 5, 2013.

BE IT FURTHER RESOLVED, that this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

1/24/13

DATE



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	ABSENT FOR THE VOTE
Fawn McGee (rep. DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane R. Brodhecker	YES
Alan A. Danser, Vice Chair	YES
James Waltman	YES
Peter Johnson	YES
Denis C. Germano	YES
Torrey Reade	YES

State Soil Conservation Committee
State Cost Share Program
Request for Extension of Project Approvals

(Note: Separate Request Required for Each Previously Approved Application)

County ATLANTIC

Applicant Name DANIEL CZARNIAK

State ID Number 01-0043-3F Application # 1

Original Approval Date 11/5/09 (From Block 15 of original Application Form)

Total of Cost Share Funds Approved \$ 12,240.00

Amount Expended to Date \$ 6,974.³⁸ Amount Remaining \$ 5,265.62

PROJECTS FOR WHICH EXTENSION IS REQUESTED. (List information below exactly as shown on original application or as revised via approved revision form. Enclose photo copies of approved application and revision forms).

A Project Description	B CPO Item #	C Field #	D Extent Originally Approved	E Amount Originally Approved	F Amt. to be Extended	G Amount Approved (State Office)
2190-2115 DRIP IRR CONTAINER	1	1	7AC	\$12,240.00	\$5265.62	5,265.62
Total				\$12,240.00	\$5265.62	5,265.62

DESCRIBE SPECIFIC REASONS FOR EXTENSION. Reasons must be detailed and relate to seasonal constraints or other unavoidable delays beyond the applicants control.

DRIP IRRIGATION SYSTEM HAS BEEN INSTALLED ON 7AC OF CONTAINER NURSERY (12 HOOP HOUSES) AND PAYMENT REQUEST SUBMITTED. PARTICIPANT REQUESTS EXTENSION TO INSTALL ADDITIONAL DRIP ON AN ADDITIONAL 1AC. (10-12 HOUSES). PROJECT WAS NOT COMPLETED WITH THE FIRST PHASE DUE TO EXTREME WEATHER CONDITIONS AS A RESULT OF HURRICANE SANDY. REQUESTING EXTENSION TO UTILIZE BALANCE OF \$5,265.62 FOR CONTINUING DRIP INSTALLATION.

Applicant Certification

I hereby request that approval for the above listed projects be extended for 12 months (not to exceed 12 months). I certify that I have been unable to complete these projects within the original three year period for the reasons stated above and anticipate completing them within the period of extension requested.

Signature [Signature] Date 12/5/2012

Technical Agency Recommendation

I have reviewed this request for extension and concur with the reasons stated. Technical assistance for completion of the requested projects will be provided.

Signature [Signature] Date 12/5/12
District Conservationist

SCD Approval

The Cape Atlantic Soil Conservation District has reviewed and approved this request at an official meeting held on 12/5/2012 (date) and recommends extension for 12 months.

Signature [Signature] Date 12/5/12
District Chairman

SSCC Approval

The SSCC has reviewed and approved this request for extension of 12 months for installation of previously approved projects as described above.

Signature [Signature] Date 1/14/13
Title ADM ANALYST

SADC Approval

The SADC hereby extends funding authorization for the above listed projects. This approval will expire NOV. 5, 2013.

Signature [Signature] Date 1-24-13
Title EXECUTIVE DIRECTOR, SADC

NOTE: All requests for payment for projects completed by the extended date must be submitted for payment no later than 30 days after that date. Projects completed after that date will not be eligible for payment. All requests for extension must be received by the State Soil Conservation Committee at least 30 days prior to the original expiration date to facilitate timely processing.

December 13, 2012

RENEWAL OF EIGHT YEAR PROGRAMS									
					New	New	SADC	Renewal	Soil & Water
old SADC ID#	Perm				Eligible	Expiration	Review	Recorded	Funds
new SADC ID#	Pres	Landowner/Agent	Municipality	County	Acres	Funds	Date	Date	Spent
		0							

											Soil & Water
old SADC ID#	Perm					Eligible	Funds At	Expiration	Recorded	Funds	
new SADC ID#	Pres	Landowner	Municipality	County	Acres	Funds	Expiration	Date	Doc Date	Spent	
1710-11F-01 17-0008-8F		Herdman	Piles Grove Twp.	Salem	28.00	16,800.00	16,800.00	11/9/2012	12/13/2012	0.00	
1712-06F-01 17-0007-8F		Mecouch Farms LLC	Quinton Twp.	Salem	143.00	44,300.00	22,687.62	11/9/2012	12/13/2012	21,612.38	
2101-02F-01 21-0014-8F		Pyslak Farm A	Allamuchy Twp.	Warren	280.68	58,068.00	58,068.00	12/14/2012	12/31/2012	0.00	
2112-05F-01 21-0015-8F		Pyslak Farm B	Liberty Twp.	Warren	153.72	15,372.00	15,372.00	12/14/2012	12/31/2012	0.00	
0816-06M-01 08-0019-8M	V	Marino	S. Harrison Twp.	Gloucester	152.09	45,209.00	45,209.00	3/6/2011	1/4/2013	0.00	
total		5			757.49	179,749.00	158,136.62			21,612.38	

[illegible]

S:\8-YR PROGRAM\REPORTS & SPREADSHEETS\Tracking Reports & Sta⁺ \8YR\SUMRYRPT\8yrsumrvfy2013

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2013R1(4)

CERTIFICATION OF AMENDED AGRICULTURAL DEVELOPMENT AREA MAP

HUNTERDON COUNTY

January 24, 2013

WHEREAS, the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, provides for the identification of Agricultural Development Areas (ADAs) by county agriculture development boards; and

WHEREAS, pursuant to N.J.S.A. 4:1C-18, the Hunterdon County Agriculture Development Board (HCADB) adopted, after a public hearing, ADA criteria and a map identifying areas where agriculture shall be the preferred, but not necessarily exclusive use of land, documenting that the area:

1. Encompasses productive agricultural lands which are currently in production or have a strong potential for future production and in which agriculture is a permitted use under the current municipal zoning ordinance or in which agriculture is permitted as a nonconforming use;
2. Is reasonably free of suburban and conflicting commercial development;
3. Comprises not greater than 90% of the agricultural land mass of the county;
4. Incorporates any other characteristics deemed appropriate by the Board; and

WHEREAS, pursuant to N.J.A.C. 2:76-1.4, the HCADB incorporated the following other criteria into the County ADA criteria:

1. A minimum contiguous area of at least 250 acres;
2. The predominance of prime or statewide important soils;
3. Land use that is reasonably free of non-farm development;
4. The absence of public sewers; and
5. Landowner consent to be included within the ADA; and

WHEREAS, the State Agriculture Development Committee (SADC) certified Hunterdon County's designated ADA criteria pursuant to N.J.S.A. 4:1C-18, and N.J.A.C. 2:76-1.4 on September 23, 1999; and

WHEREAS, the SADC certified amendments to Hunterdon County's designated ADA map showing the general location of the ADA(s) as defined by the application of the criteria many times over the years at the request of several municipalities, most recently on June 26, 2008; and

WHEREAS, on October 13, 2011, the HCADB updated its designated ADA map, at the request of the Township, to include Block 94, Lot 11, in the Township of Readington; and

WHEREAS, the HCADB reviewed the proposed ADA against the ADA criteria set forth at N.J.S.A. 4:1C-18 and N.J.A.C. 2:76-1.4 and the certified CADB criteria; and

WHEREAS, the HCADB held a public hearing on December 13, 2012 to consider public comment on the proposed amendment to its ADA map pursuant to N.J.A.C. 2:76-1.5 with no one providing any additional information on the proposed change; and

WHEREAS, the HCADB has requested the SADC's certification of the amended ADA map (as identified in the attached Schedule "A"); and

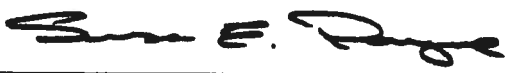
WHEREAS, pursuant to N.J.A.C. 2:76-1.5, the CADB submitted to the SADC, copies of the agenda and minutes of the October 13, 2011 meeting and the publicly noticed December 13, 2012 hearing, and the October 13, 2011 CADB resolution of adoption; and

WHEREAS, the SADC has reviewed the CADB's submissions and has determined that the analysis of factors and resultant criteria is reasonable and consistent and in compliance with the provisions of N.J.A.C. 2:76-1.6;

NOW THEREFORE BE IT RESOLVED that the SADC certifies the amendment to the Hunterdon County Agriculture Development Board's Agricultural Development Area map to include Block 94, Lot 11, in the Township of Readington; and

BE IT FURTHER RESOLVED that this approval is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4F.

1-24-13
Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

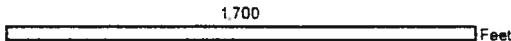
Douglas H. Fisher, Chairperson	YES
Fawn McGee (rep. DEP Commissioner Martin)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
James Waltman	YES
Torrey Reade	YES
Peter Johnson	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
Denis Germano	YES

Schedule A



Readington ADA Amendment

Block 94, Lot 11 - Total Acreage ~60 acres



Soils Breakdown	
Not Important	12.56 acres, 19.6%
Prime	22.31 acres, 34.8%
Statewide	29.12 acres, 45.4%
Not Rated	0.14 acres, <1%

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2013R1(5)

Request to Replace a Single Family Residence

**Pedrick Farm
Jesse DeGarmo-Contract Purchaser**

January 24, 2013

Subject Property: Block 31, Lot 5
Block 32, Lot 2
South Harrison Township, Gloucester County
32.99 - Acres

WHEREAS, the Estate of Howard Pedrick, hereinafter "Owner", is the record owner of Block 31, Lot 5, and Block 32, Lot 2 in South Harrison Township, Gloucester County, by Deed dated June 4, 1982, and recorded in the Gloucester County Clerk's Office in Book 1449, Page 1015, totaling approximately 32.99 acres, hereinafter referred to as "Premises" (as shown on Schedule "A"); and

WHEREAS, the development easement on the Premises was conveyed to the County of Gloucester, by Deed dated June 27, 1992, and recorded in the Gloucester County Clerk's Office in Book 2777, Page 172, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, and the Garden State Preservation Trust Act, N.J.S.A. 13:8C, et seq.; and

WHEREAS, Jesse DeGarmo, hereinafter, "Contract Purchaser", is under contract, dated December 11, 2012, to purchase the Premises, contingent upon the ability to replace the existing residence; and

WHEREAS, on December 18, 2012, the SADC received a request to replace an existing single family residence on the Premises from the Gloucester County Agriculture Development Board on behalf of the Contract Purchaser; and

WHEREAS, the Deed of Easement identifies one single-family residence on the Premises, no exception areas and no RDSOs; and

WHEREAS, paragraph 14 ii of the Deed of Easement allows for the replacement of any existing single family residential building anywhere on the Premises with the approval of the Grantee and Committee; and

WHEREAS, on January 11, 2013, SADC staff visited the site; and

WHEREAS, the Premises has been maintained primarily as a grain farm; and

WHEREAS, the Contract Purchaser intends to convert the Premises into a vineyard; and

WHEREAS, the Contract Purchaser proposes to replace the existing residence on the premises with a new residence for himself and his family; and

WHEREAS, the proposed new house will be built in a partially wooded area on Lot 5, approximately 110 feet behind the existing house, as shown on Schedule "A"; and

WHEREAS, the new house will utilize a driveway through a partially wooded area not in production; and

WHEREAS, the Owners propose to build a two-story house with approximately 3,800 sq./ft. of heated living space to replace the original farmhouse which is approximately 2,400 sq./ft.; and

WHEREAS, the design of the new home includes a basement consisting of approximately 2,000 sq./ft. of additional space; and

WHEREAS, the existing home is in need of significant repair and is located approximately 20 feet off of Lincoln Mill Road; and

WHEREAS, the Contract Purchaser intends to remove the existing residence, fill, grade and reseed the area; and

WHEREAS, SADC staff have verified that the previously existing house was not included on the NJ Register of Historic Places; and

WHEREAS, on December 13, 2012, the Gloucester CADB reviewed and approved the replacement of the existing residence on the Premises conditioned on the sale being executed between the Owner and this Contract Purchaser; and

NOW THEREFORE BE IT RESOLVED, that the SADC, pursuant to the restrictions as contained in the Deed of Easement, finds that the replacement of a single-family residence on the Premises will have a positive impact on the continued agricultural operations of this farm by replacing the deteriorated residence, which is very close to the road with a new residence which shall serve as the primary residence for the Contract Purchaser and his family; and

BE IT FURTHER RESOLVED, that the Committee approves the construction of a single family residence, consisting of approximately 3,800 sq./ft. heated living space, and approximately 2,000 sq./ft. of basement space, in the location shown in Schedule "A", to replace the single family residence which currently exists on the Premises; and

BE IT FURTHER RESOLVED, that the existing residence shall be removed and the area restored prior to or within 30 days of receipt of the certificate of occupancy on the new residence; and

BE IT FURTHER RESOLVED, that this approval is valid for a period of three years from the date of this resolution; and

BE IT FURTHER RESOLVED, that this approval is non-transferable; and

BE IT FURTHER RESOLVED, that this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

1-24-13

Date

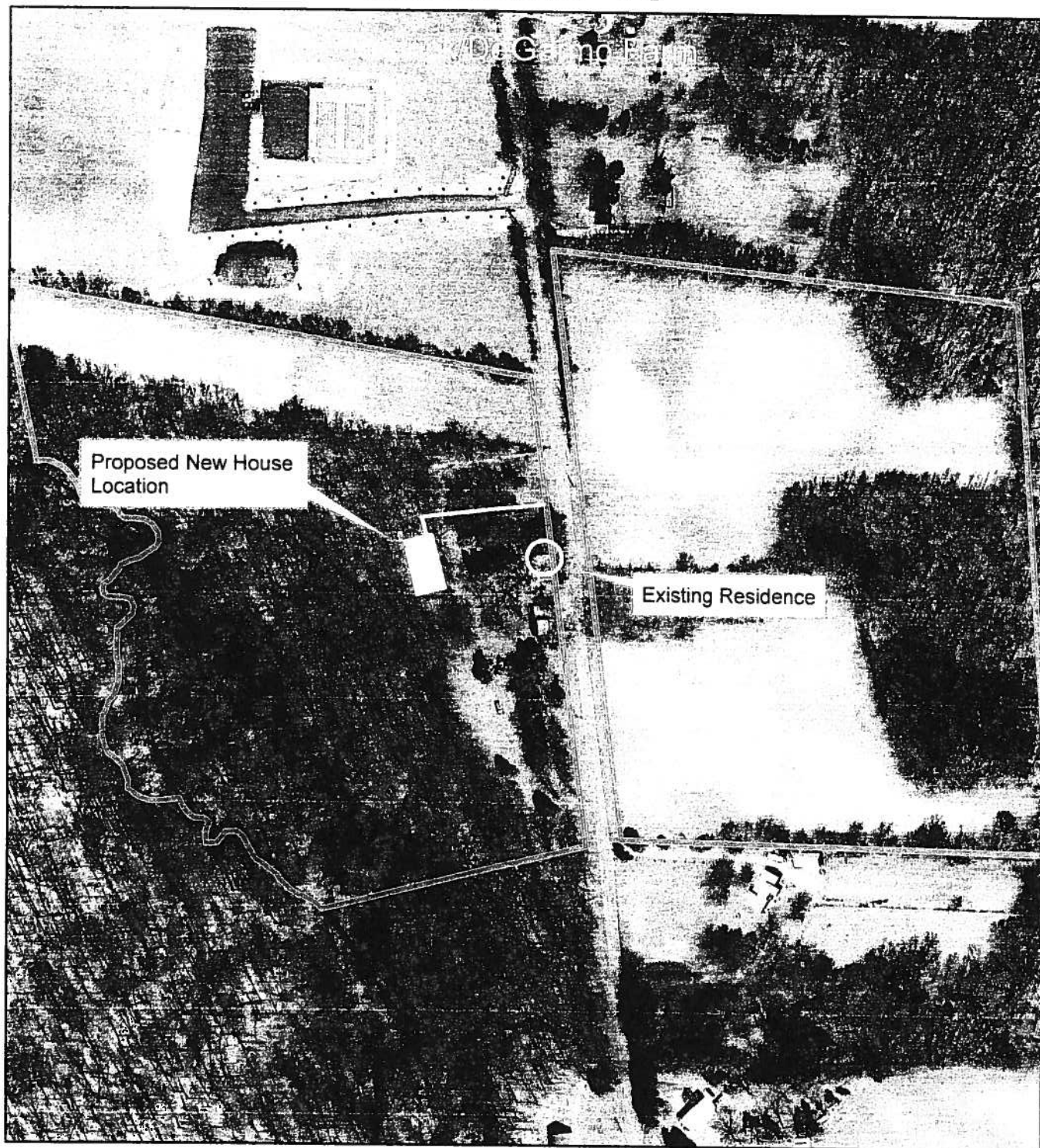


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Fawn McGee (rep. DEP Commissioner Martin)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
James Waltman	YES
Torrey Reade	YES
Peter Johnson	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
Denis Germano	YES

Schedule "A"



...x:/projects/farmview.mxd

**Farmland Preservation Program
NJ State Agriculture Development Committee**

Pedrick Farm
Block 31, Lots 5
Block 32, Lot 2
South Harrison Township, Gloucester County



Farmland Preservation Program

-  PRESERVED EASEMENT
 EXCEPTION AREA
 PRESERVED EASEMENT / NR
 EXCEPTION AREA / NR
 FINAL APPROVAL
 PRELIMINARY APPROVAL
 ACTIVE APPLICATION
 8 YEAR PRESERVED
 TARGETTED FARM
 INACTIVE APPLICATION
 NO CORRESPONDING DATA

State Planning Areas

- ☒ (P001) SAT TEND
 - ☒ (P002) SUBSTATION
 - ☐ (P003) HUBBARD
 - ☒ (P004) CLURAL
 - ☐ (P005) RURAL 2-4V BONE
 - ☐ (P006) CIVIL BONE
 - ☒ (P007) CIVIL BEADTIE BARBER (3)
 - ☐ (P008) PANG AND C
 - ☒ P009
 - ☒ MILITARY
 - ☐ NEW JERSEY MEADOWLANDS
 - ☐ WATER
- ELLIS ISLAND NJ

Case Map

-  County Boundaries
 Municipal Boundaries
 Regional Planning Area
 Hazardous Waste Site

May 2012

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2013R1(6)

Request for Division of Premises

January 24, 2013

Subject Property:

**Harry & Jean DuBois and the Estate of Maurice Dubois
Block 22, Lots 3 and 7
Pilesgrove Township, Salem County
Block 21, Lots 1 and 2, and Block 22, Lot 10
Oldmans Township, Salem County**

WHEREAS, Harry and Jean DuBois and the Estate of Maurice Dubois hereinafter "Owners" were the record owners of Block 22, Lots 3 and 7 in Pilesgrove Township, Salem County, and Block 21, Lots 1 and 2, and Block 22, Lot 10 in Oldmans Township, Salem County, hereinafter referred to as the "Premises", by deed dated April 23, 2002 and recorded in the Salem County Clerk's office in Deed Book 11000, Page 12900 and by deed dated December 31, 1958 and recorded in the Salem County Clerk's office in Deed Book 391, Page 235; and

WHEREAS, the Premises totals approximately 276.80 acres, as shown in Schedule "A"; and

WHEREAS, a development easement on the Premises was conveyed to the Salem County Board of Chosen Freeholders pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-1, et seq. by Deed of Easement dated January 19, 1999 and recorded in the Salem County Clerk's Office in Deed Book 1004, Page 125; and

WHEREAS, the Deed of Easement references six (6) existing residences, one (1) agricultural labor residence, no residual dwelling site opportunities (RDSO) and no exception areas; and

WHEREAS, by Deed dated December 31, 2011 and recorded in the Salem County Clerk's Office in Deed Book 3394, Page 410, the Owners conveyed Block 22, Lot 7, in Pilesgrove Township and Block 21, Lots 1 and 2 and Block 22, Lot 10 in Oldmans Township to Edward and Barbara Byrnes, hereinafter "Purchasers"; and

WHEREAS, the Purchasers are long time grain and vegetable farmers from this area, presently farming approximately 1,100 acres in various fresh market vegetables; and

WHEREAS, the Purchasers home farm is adjacent across the street from the Premises;
and

WHEREAS, the Purchasers have rented the Premises from the Owners for 20 years, and purchased the property to increase their land holdings to allow for expansion of their operation; and

WHEREAS, upon review of sales comparables in the summer of 2012, SADC staff determined that Block 22, Lot 7, in Pilesgrove Township and Block 21, Lots 1 and 2 and Block 22, Lot 10 in Oldmans Township had been conveyed to the Purchasers without SADC or CADB approval and advised the CADB accordingly; and

WHEREAS, Salem CADB staff advised the Owners and Purchasers that the Premises was not in compliance with the Deed of Easement and that a division of premises request, approved by the CADB and State Agriculture Development Committee (SADC), was necessary; and

WHEREAS, the Owners propose to divide the Premises as shown in Schedule "A"; and

WHEREAS, the Owners have retained ownership of Block 22, Lot 3, in Pilesgrove Township (Parcel-A) and sold Block 22, Lot 7, in Pilesgrove Township and Block 21, Lots 1 and 2 and Block 22, Lot 10 in Oldmans Township (Parcel-B) to Edward and Barbara Byrnes; and

WHEREAS, paragraph 15 of the Deed of Easement states that no division of the Premises shall be permitted without the joint approval in writing of the Grantee and the SADC; and

WHEREAS, in order to grant approval, the Grantee and the SADC must find that the division is for an agricultural purpose and will result in agriculturally viable parcels such that each parcel is capable of sustaining a variety of agricultural operations that yield a reasonable economic return under normal conditions, solely from the parcel's agricultural output; and

WHEREAS, by resolution dated November 28, 2012, the CADB approved the request to divide the Premises into two (2) parcels along existing lot lines as follows:

Parcel A – Block 22, Lot 3 in Pilesgrove Township

Parcel B – Block 22, Lot 7, in Pilesgrove Township and Block 21, Lots 1 and 2 and Block 22, Lot 10 in Oldmans Township

WHEREAS, in support of its determination, the CADB found that the division of Premises was for an agricultural purpose as it will help secure the expansion of the Byrnes family farming operation; and

WHEREAS, in support of its determination, the CADB found that the division of Premises resulted in agriculturally viable parcels, with resulting parcels containing significant quantities of quality soils; and

WHEREAS, the resulting Parcel-A would result in a 147+/- acre property that is approximately 95% (140 acres) tillable with 32% (47 acres) prime soils, 59% (87 acres) soils of Statewide Importance, with 6.03 acres of freshwater wetlands; and

WHEREAS, the resulting Parcel-A would include four (4) existing single-family residences and several farm outbuildings; and

WHEREAS, Parcel-A is improved with an irrigation pond, an irrigation well and underground mains over the entire parcel; and

WHEREAS, the resulting Parcel-B would result in an 129+/- acre property that is approximately 81% (105 acres) tillable with 54% (69.5 acres) prime soils, 25% (32 acres) soils of statewide importance identified, with 18 acres of freshwater wetlands; and

WHEREAS, the resulting Parcel-B includes two (2) existing single family residences, an agricultural labor dormitory and several farm outbuildings; and

WHEREAS, Parcel-B is improved with an irrigation pond and underground mains throughout the entire parcel; and

WHEREAS, on January 11, 2013, SADC staff visited the site and found all of the tillable acres on Premises planted in cover crops and spring grains; and

WHEREAS, the primary outputs of the two parcels have historically been grains and vegetables; and

WHEREAS, the SADC makes the following findings related to its determination of whether the division will result in agriculturally viable parcels, such that each parcel is capable of sustaining a variety of agricultural operations that yield a reasonable economic return under normal conditions, solely from the parcel's agricultural output:

- 1) Each parcel contains a significant acreage of high quality, tillable soils, as follows:
 - Parcel A, at 147 acres, has 140 tillable acres with approximately 47 acres of prime soil and 87 acres soils of statewide importance;
 - Parcel B, at 129 acres, has 105 tillable acres with approximately 69.5 acres of prime soils and 32 acres of soil of statewide importance;

WHEREAS, the SADC makes the following findings related to its determination of whether this application meets the agricultural purpose test:

- 1) The division was undertaken for purposes of expanding the Byrnes family agricultural operation;
- 2) The Byrnes family agricultural operation has, over the past 20 years, maintained a high degree of stewardship of both Parcels A and B.

NOW THEREFORE BE IT RESOLVED, that the SADC finds that the division is for an agricultural purpose and results in agriculturally viable parcels such that each parcel is capable of sustaining a variety of agricultural operations that yield a reasonable economic return under normal conditions, solely from the parcel's agricultural output due to the size of the two proposed parcels and the quality of the soils present on both parcels; and

BE IT FURTHER RESOLVED, that the SADC's approval of the division of the premises is subject to, and shall be effective upon, the recording of the SADC's approval resolution; and

BE IT FURTHER RESOLVED, that this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

1-24-13

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Fawn McGee (rep. DEP Commissioner Martin)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
James Waltman	OPPOSED
Torrey Reade	YES
Peter Johnson	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
Denis Germano	YES

Schedule "A"



x:/projects/farmview.mxd

Farmland Preservation Program NJ State Agriculture Development Committee

Dubois Farm
Block 22, Lots 3 & 7
Pilesgrove Township
Block 21, Lots 1 & 2 and Block 22, Lot 10
Oldmans Township, Salem County



Farmland Preservation Program

- PRESERVED EASEMENT
- EXCEPTION AREA
- PRESERVED EASEMENT / NR
- EXCEPTION AREA / NR
- FINAL APPROVAL
- PRELIMINARY APPROVAL
- ACTIVE APPLICATION
- 8 YEAR PRESERVED
- TARGETTED FARM
- INACTIVE APPLICATION
- NO CORRESPONDING DATA

State Planning Areas

- PMA 1 (METRO)
- PMA 2 (SUBURBAN)
- PMA 3 (RURAL)
- PMA 4 (RURAL)
- PMA 5 (RURAL, BAY AREA)
- PMA 6 (RURAL)
- PMA 7 (RURAL)
- PMA 8 (RURAL)
- PMA 9 (RURAL)
- PMA 10 (RURAL)
- PMA 11 (RURAL)
- PMA 12 (RURAL)
- PMA 13 (RURAL)
- PMA 14 (RURAL)
- PMA 15 (RURAL)
- PMA 16 (RURAL)
- PMA 17 (RURAL)
- PMA 18 (RURAL)
- PMA 19 (RURAL)
- PMA 20 (RURAL)
- PMA 21 (RURAL)
- PMA 22 (RURAL)
- PMA 23 (RURAL)
- PMA 24 (RURAL)
- PMA 25 (RURAL)
- PMA 26 (RURAL)
- PMA 27 (RURAL)
- PMA 28 (RURAL)
- PMA 29 (RURAL)
- PMA 30 (RURAL)
- PMA 31 (RURAL)
- PMA 32 (RURAL)
- PMA 33 (RURAL)
- PMA 34 (RURAL)
- PMA 35 (RURAL)
- PMA 36 (RURAL)
- PMA 37 (RURAL)
- PMA 38 (RURAL)
- PMA 39 (RURAL)
- PMA 40 (RURAL)
- PMA 41 (RURAL)
- PMA 42 (RURAL)
- PMA 43 (RURAL)
- PMA 44 (RURAL)
- PMA 45 (RURAL)
- PMA 46 (RURAL)
- PMA 47 (RURAL)
- PMA 48 (RURAL)
- PMA 49 (RURAL)
- PMA 50 (RURAL)
- PMA 51 (RURAL)
- PMA 52 (RURAL)
- PMA 53 (RURAL)
- PMA 54 (RURAL)
- PMA 55 (RURAL)
- PMA 56 (RURAL)
- PMA 57 (RURAL)
- PMA 58 (RURAL)
- PMA 59 (RURAL)
- PMA 60 (RURAL)
- PMA 61 (RURAL)
- PMA 62 (RURAL)
- PMA 63 (RURAL)
- PMA 64 (RURAL)
- PMA 65 (RURAL)
- PMA 66 (RURAL)
- PMA 67 (RURAL)
- PMA 68 (RURAL)
- PMA 69 (RURAL)
- PMA 70 (RURAL)
- PMA 71 (RURAL)
- PMA 72 (RURAL)
- PMA 73 (RURAL)
- PMA 74 (RURAL)
- PMA 75 (RURAL)
- PMA 76 (RURAL)
- PMA 77 (RURAL)
- PMA 78 (RURAL)
- PMA 79 (RURAL)
- PMA 80 (RURAL)
- PMA 81 (RURAL)
- PMA 82 (RURAL)
- PMA 83 (RURAL)
- PMA 84 (RURAL)
- PMA 85 (RURAL)
- PMA 86 (RURAL)
- PMA 87 (RURAL)
- PMA 88 (RURAL)
- PMA 89 (RURAL)
- PMA 90 (RURAL)
- PMA 91 (RURAL)
- PMA 92 (RURAL)
- PMA 93 (RURAL)
- PMA 94 (RURAL)
- PMA 95 (RURAL)
- PMA 96 (RURAL)
- PMA 97 (RURAL)
- PMA 98 (RURAL)
- PMA 99 (RURAL)
- PMA 100 (RURAL)

State Map

- County Boundaries
- Municipal Boundaries
- Highway Planning Area
- Farmland Preservation Area
- Private Area

May 2012

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2013R1(7)

Lahaway Creek Farm LLC

January 24, 2013

Installation of a Solar Energy Generation Facility, Structures and Equipment on an Existing Structure Located on a Preserved Farm

Subject Property: Lahaway Creek Farm LLC
Block 55, Lot 17
Upper Freehold Township, Monmouth County
69.87-Acres

WHEREAS, Lahaway Creek Farm LLC, hereinafter, Owner, is the record owner of Block 55, Lot 17, in Upper Freehold Township, Monmouth County, by Deed dated May 26, 2005, and recorded in the Monmouth County Clerk's Office, in Deed Book 8470, Page 1472, totaling approximately 69.87 acres, hereinafter referred to as "Premises" (as shown on Schedule "A"); and

WHEREAS, the development easement on the Premises was conveyed to the County of Monmouth on September 27, 1989, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:11 et seq., P.L. 1983, c. 32, as a Deed of Easement, recorded in Deed Book 4961, Page 0129; and

WHEREAS, P.L. 2009, c.213 signed into law on January 16, 2010, requires State Agriculture Development Committee (SADC) approval before constructing, installing, and operating renewable energy generating facilities, structures and equipment on preserved farms, including areas excepted from the Premises; and

WHEREAS, the SADC must adopt regulations to implement P.L. 2009, c.213 (N.J.S.A. 4:1C-32.4) hereinafter, referred to as "the Act"; and

WHEREAS, the SADC, in conjunction with the Office of the Attorney General, has determined that it may accept and consider applications for the construction of renewable energy generating facilities on preserved farms, prior to the adoption of rules, only in cases where the project will not result in the creation of any new impervious cover and the review is based solely upon criteria listed in subsection (a) of the Act; and

WHEREAS, subsection (a) of the Act states that the owner of a preserved farm may construct, install and operate renewable energy generation facilities on preserved farms for the purpose of generating power or heat, provided the systems:

- (1) do not interfere significantly with the use of the land for agricultural or horticultural production, as determined by the committee;
- (2) are owned by the landowner, or will be owned by the landowner upon the conclusion of the term of an agreement with the installer of the biomass, solar, or wind energy generation facilities, structures, or equipment by which the landowner uses the income or credits realized from the biomass, solar, or wind energy generation to purchase the facilities, structures, or equipment;
- (3) are used to provide power or heat to the farm, either directly or indirectly, or to reduce, through net metering or similar programs and systems, energy costs on the farm; and
- (4) are limited (a) in annual energy generation capacity to the previous calendar year's energy demand plus 10 percent, in addition to what is allowed under subsection b. of this section, or alternatively at the option of the landowner (b) to occupying no more than one percent of the area of the entire farm including both the preserved portion and any portion excluded from preservation.
- (5) The person who owns the farm and the energy generation facilities, structures, and equipment may only sell energy through net metering or as otherwise permitted under an agreement allowed pursuant to paragraph (2) of this subsection.

WHEREAS, the Owner submitted an "Application for Energy Generation Facilities on Existing Buildings or Structures on Preserved Farmland" pursuant to N.J.S.A. 4:1C-32.4; and

WHEREAS, the Owner is seeking SADC approval for the construction of a photovoltaic solar energy generation facility on portions of two roof tops of existing barns on the Premises which will provide electricity to these two barns as well as the farm office located on a non-preserved area next to one of the barns; and

WHEREAS, the buildings that will support the solar energy generation facilities are two equine surgery barns on the premises, with roof tops totaling approximately 9,700 square feet in size as identified on Schedule "A"; and

WHEREAS, the agricultural operation consists of an equine veterinary/breeding/raising farm and the electrical energy demand of the farm is generated from service to the barns on the premises and the farm office on the farm; and

WHEREAS, the farm's energy demand for the previous calendar year was 17.42 kilowatts (kW) as confirmed by the Owner's submission of 12 months of utility bills; and

WHEREAS, there are no other renewable energy generation facilities existing on the Premises; and

WHEREAS, the rated capacity of the proposed solar energy generation facility is 14.72 kW; and

WHEREAS, the solar energy generation facility is owned by the Owner; and

WHEREAS, the Owner provided evidence confirming that the solar energy generation facility will provide power to the farm directly through net metering to reduce energy costs on the farm; and

WHEREAS, the Owner provided evidence that the annual solar energy generation does not exceed the previous calendar year's energy demand; and

WHEREAS, as a result of the panels being installed on the roof of a structure no new impervious cover or soil disturbance will result from the installation of the solar energy generation facilities, structures and equipment; and

WHEREAS, the farm office sits on an approximately one-acre area that was excluded from the easement purchase application at the time of preservation of this farm; and

WHEREAS, the one-acre parcel has never been severed from the preserved farm and contains land and an office which serve an integral part of the production operations of the overall farm; and

WHEREAS, pursuant to N.J.S.A. 4:1C-32.4, the SADC forwarded a copy of the Owner's application to the Monmouth County Agriculture Development Board, to provide comments concerning the installation, construction, operation and maintenance of the solar energy generation facility, structures and equipment; and

WHEREAS, on March 7, 2012, the Monmouth CADB discussed the solar energy generation facility and has indicated that the Board has no objections to the Lahaway Creek Farm application.

NOW THEREFORE BE IT RESOLVED, that the SADC finds that the Owner has complied with all of the provisions of N.J.S.A. 4:1C-32.4 concerning the installation of a photovoltaic solar energy generation facility, structures and equipment on the Premises; and

BE IT FURTHER RESOLVED, that the SADC approves of the construction, installation, operation and maintenance of the photovoltaic energy generation facility, structures and equipment consisting of approximately 1,400 square feet and having a rated capacity of 14.72 kW of energy located on the roof tops of a two barns in the locations identified on Schedule "A", and;

BE IT FURTHER RESOLVED, that as a condition of this approval the farm office on the exception area which is currently part of the overall farm operation may not be sold separate and apart from the Premises, or used for a non-agricultural purpose, unless all the solar energy generating system components linking it to the solar panels on the Premises have been removed; and

BE IT FURTHER RESOLVED, that this action is not effective until the Governor's review period expires pursuant to N.J.S.A 4:1C-4f.

1-24-13

DATE

Susan E. Payne

Susan E. Payne, Executive Director
State Agriculture Development Committee

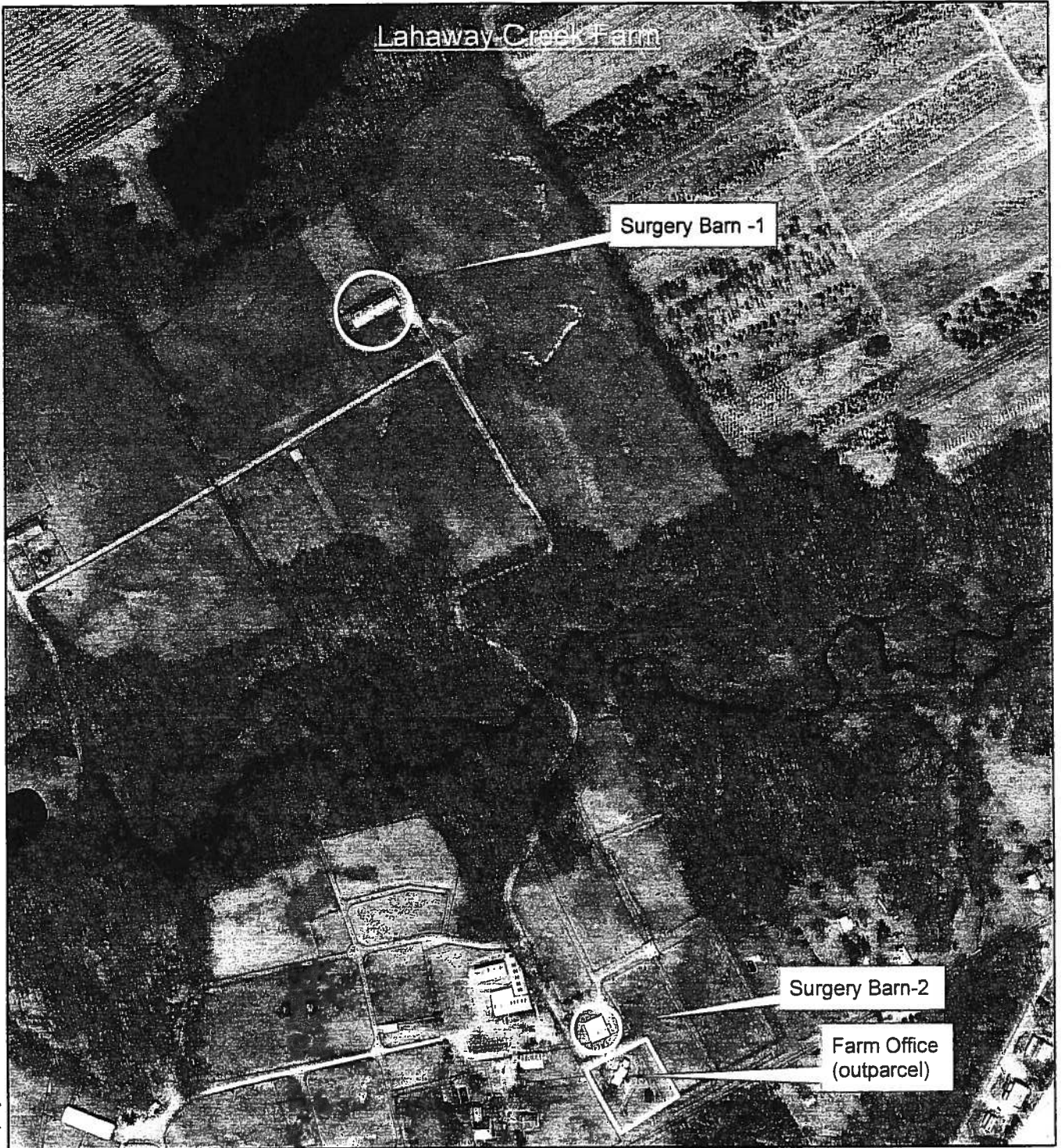
VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Fawn McGee (rep. DEP Commissioner Martin)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
James Waltman	YES
Torrey Reade	YES
Peter Johnson	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
Denis Germano	YES

S:\EP\MON\Lahaway Creek-Meirs\Solar Resolution -Lahaway Creek.doc

Schedule "A"

x:/projects/farmview.mxd



Farmland Preservation Program NJ State Agriculture Development Committee

Lahaway Creek Farm
Block 55, Lot17
69.87 ac
Upper Freehold Twp., Monmouth County



Farmland Preservation Program	
	PRESERVED EASEMENT
	EXCEPTION AREA
	PRESERVED EASEMENT / NR
	EXCEPTION AREA / NR
	FINAL APPROVAL
	PRELIMINARY APPROVAL
	ACTIVE APPLICATION
	8 YEAR PRESERVED TARGETTED FARM
	INACTIVE APPLICATION
	NO CORRESPONDING DATA

Basic Mapping Areas	
	PM11 METRO
	PM21 SUBURBAN
	PM31 PRNGE
	PM41 RURAL
	PM42 RURAL SHV BDRS
	PM43 SHV BDRS
	PM44 SHV RESISTIVE BARNER IS
	PM51 FIELDS
	PM61
	PM71 HILTRY
	PM81 NEW JERSEY HEADLANDS
	PM91
	ELIM ISLAND NJ
	ELIM ISLAND NY
Basic Map	
	County Boundaries
	Municipal Boundaries
	Highway Planning Area
	Highway Preservation Area
	Preserve Area

May 2012

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2013R1(8)

**Final Approval and Authorization to
Execute Deed of Easement, Project Agreement, and Closing Documents
Hunterdon Land Trust - Horoschak Farm
2011 Non Profit Round - SADC #10-0061 NP**

January 24, 2013

WHEREAS, on December 20, 2010 the State Agriculture Development Committee ("SADC"), received a non-profit cost share grant application from Hunterdon Land Trust ("HLT") for the Horoschak farm identified as Block 49, Lots 16 and 18, Franklin Township, Hunterdon County, totaling approximately 133 acres, hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the Property contains one 5-acre non-severable exception area limited to one single family residence; and

WHEREAS, the farm is approximately 38 percent cropland harvested and was in field crop (hay) production at the time of application and meets the minimum criteria as set forth in N.J.A.C. 2:76-6.20; and

WHEREAS, on April 28, 2011 the SADC granted preliminary approval by Resolution #FY2011R4(7) to the HLT application and appropriated \$1,445,000 for the acquisition of development easements or fee simple interest to four farms which HLT had submitted including the Property; and

WHEREAS, in accordance with N.J.A.C. 2:76-12.2(b) the SADC determined that any farm that has a quality score (as determined by N.J.A.C. 2:76-6.16) greater than or equal to 70% of the county average quality score as determined in the County PIG program be eligible for funding; and

WHEREAS, at the time of SADC preliminary approval the Property had a quality score of 63.55, however, subsequently a small wooded lot (Lot 18) was removed from the application and the acreage became 125 acres, reducing the quality score to 64.20 which is still greater than 70% of the County average quality score of 43 as determined on June 24, 2010; and

WHEREAS, the owner has read and signed SADC Guidance Documents regarding Exceptions, Division of Premises and Non-agricultural uses; and

WHEREAS, HLT has not received Final Approval or closed any of the four farms they submitted in the 2011 Round, therefore there is a balance of \$1,445,000 available; and

WHEREAS, in accordance with N.J.A.C. 2:76-15.1 if two appraisals have been obtained on a parcel and the difference between the two appraisal values is 10 percent of the higher appraisal value or less, the eligible land cost shall be the average of the appraisal values. The two appraisals submitted were within 10 percent of the highest appraisal value and the resulting average was \$6,650 per acre; and

WHEREAS, on September 27, 2012 the SADC certified the easement value of the Property to be \$6,650 per acre based on current zoning and environmental regulations (as of August 19, 2012); and

WHEREAS, the SADC advised HLT of the certified value and its willingness to provide a 50 percent cost share grant pursuant to N.J.A.C. 2:76-15.1, not to exceed 50 percent of HLT's eligible costs and subject to available funds from the \$1,445,000 appropriated in the 2011 Nonprofit round; and

WHEREAS, on December 28, 2012 HLT informed the SADC that it will accept SADC cost share of \$3,325 per acre and the landowner was willing to accept \$6,700 which is equal to the highest appraised value; and

WHEREAS, HLT has stated that the farm is included on HLT's Federal United States Department of Agriculture, Natural Resources Conservation Service FRPP grant application as a targeted farm and they intend to utilize these Federal Grant funds for their matching grant; and

WHEREAS, the HLT/Horoschak farm is eligible for a 50% Federal grant for \$402,000 based on 50% of the NRCS anticipated approved easement value of \$6,700; and

WHEREAS, the landowner has agreed to the additional restrictions associated with the FRPP funding, including a 5% maximum impervious coverage restriction (approximately 6.0 acres available for impervious coverage including agricultural related structures) on the lands being preserved outside of the exception area; and

WHEREAS, on December 13, 2012 Franklin Township passed Resolution 2012-101 showing its support for the project and financial commitment of up to \$12,550; and

WHEREAS, the anticipated cost share participation for the project will be as follows based on 120 acres:

HLT FRPP Grant	\$402,000	\$3,350/acre (50% of \$6,700)
Franklin Township Funds	\$ 3,000	\$ 25/acre (0.4% of \$6,700)
SADC Nonprofit Grant Funds	<u>\$399,000</u>	<u>\$3,325/acre (50% of \$6,650)</u>
Total	\$804,000	\$6,700/acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-12.6 and N.J.A.C. 2:76-16.3, the SADC shall provide a cost share grant to HLT for up to 50% of the eligible ancillary costs which will be deducted from its appropriation and subject to the availability of funds;

NOW THEREFORE BE IT RESOLVED that the SADC grants final approval to the HLT/Horoschak easement acquisition application subject to compliance with N.J.A.C. 2:76-16; and

BE IT FURTHER RESOLVED, the SADC shall provide a cost share grant not to exceed \$3,325 per acre (total of approximately \$399,000 based on 120 acres) to Hunterdon Land Trust for the development easement acquisition on the Property farm subject to the availability of funds; and

BE IT FURTHER RESOLVED, the SADC approves the use of HLT Federal Farm and Ranch Land Protection Program funds for the preservation of the Horoschak farm, which will include an impervious coverage limitation of 5% and other restrictions required under the Federal Farm and Ranch Land Protection Program; and

BE IT FURTHER RESOLVED, the application is subject to the conditions contained in (Schedule B); and

BE IT FURTHER RESOLVED that the SADC authorizes staff to proceed with the preparation of a Project Agreement and closing documents prepared in accordance with N.J.A.C. 2:76-16.1; and

BE IT FURTHER RESOLVED, the SADC's cost share grant to Hunterdon Land Trust for the development easement purchase on the approved application shall be based on the final surveyed acreage of the Premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, and streams or water bodies on the boundaries of the Premises as identified in Policy P-3-B Supplement; and

BE IT FURTHER RESOLVED that the SADC authorizes Douglas Fisher, Secretary of Agriculture as Chairperson of the SADC or Executive Director Susan E. Payne to execute by signature all documents necessary to provide a grant to the Hunterdon Land Trust for the acquisition of a development easement on the Horoschak farm; and

BE IT FURTHER RESOLVED, that all survey, title and all additional documents required for closing shall be subject to review and approval by the SADC; and

BE IT FURTHER RESOLVED that this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

1-24-13

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Fawn McGee (rep. DEP Commissioner Martin)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
James Waltman	YES
Torrey Reade	YES
Peter Johnson	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
Denis Germano	YES

S:\NONPROFITS\2011 round\HLTA\Horoschak\final approval.doc

Schedule A

x:\counties\hunco\projects\horoschak2_fw.mxd



Application within the (PA4b) Rural Env Sensitive Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Horoschak Farm/HLTA
Block 49 Lots P/O 16 (120 ac)
& P/O 16-EN (non-severable exception - 5.0 ac)
Est. Net Easement Acres = 120 ac
Franklin Twp., Hunterdon County

Property in Question	
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
Wetlands Boundaries	
	Municipal, County and Non-Profit Preserved Open Space
	State Owned Conservation Easement
	State Owned O&R Recreation Easement



Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

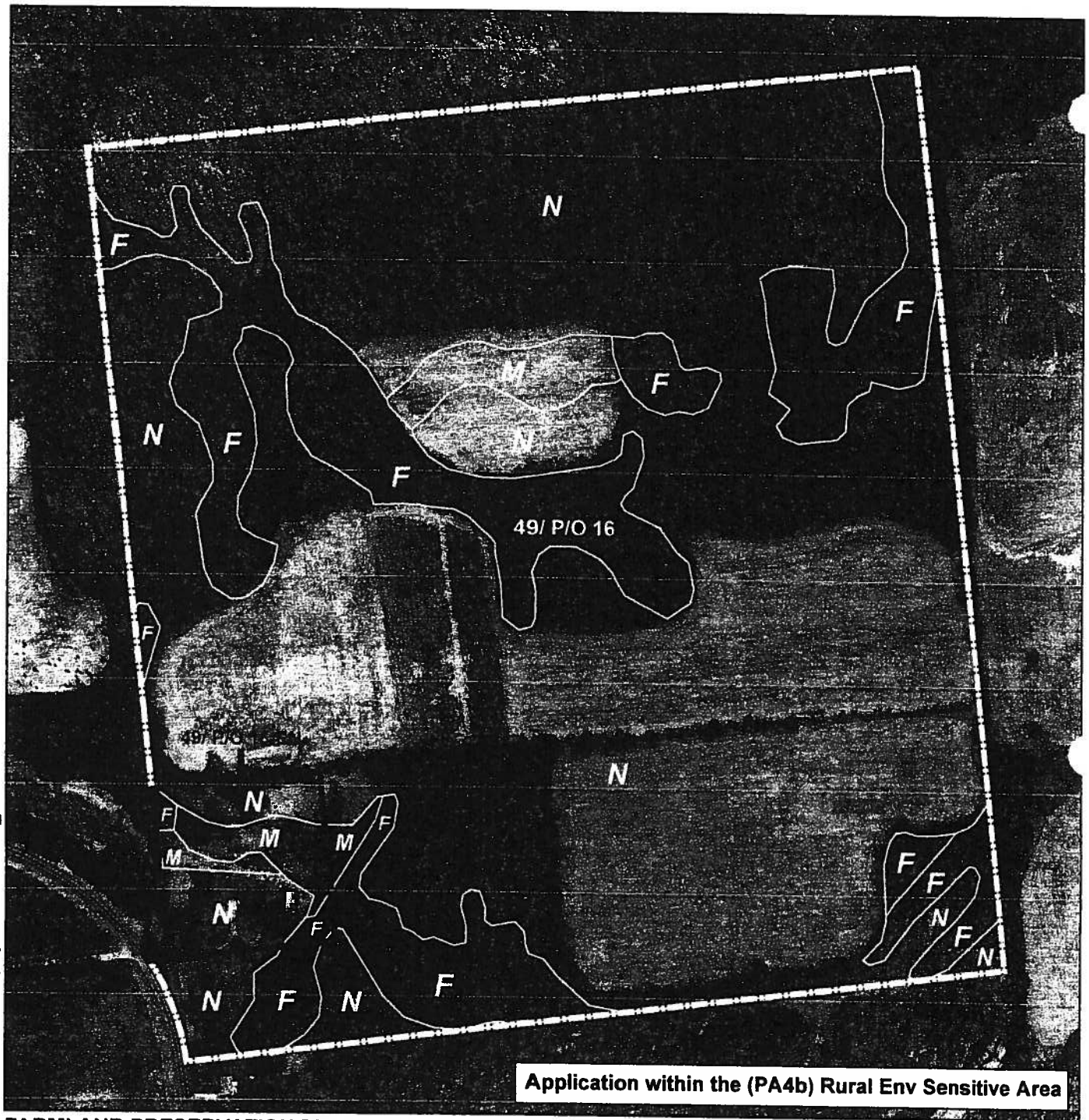
DISCLAIMER Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJOT/OGIS 2007/2008 Digital Aerial Image

September 18, 2012

Schedule A

x:\counties\hunco\projects\horoschak2_fw.mxd



Application within the (PA4b) Rural Env Sensitive Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Horoschak Farm/HLTA
Block 49 Lots P/O 16 (120 ac)
& P/O 16-EN (non-severable exception - 5.0 ac)
Est. Net Easement Acres = 120 ac
Franklin Twp., Hunterdon County

500 250 0 500 1,000 Feet



Property in Question	
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
Wetlands Boundaries	
	Municipal, County and Non-Profit Preserved Open Space
	State Owned Conservation Easement
	State Owned O/R & Recreation Easement

Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJOT/OGIS 2007/2008 DigitalAerial Image

September 18, 2012

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Schedule B

HLTA/Horoschak Farm
10- 0061-NP
FY 2011 Easement Purchase - Nonprofit
120 Acres

Block 49 Lot 16 Franklin Twp. Hunterdon County

SOILS:

Prime	30% *	.15	=	4.50
Statewide	70% *	.1	=	7.00

SOIL SCORE: 11.50

TILLABLE SOILS:

Cropland Harvested	38% *	.15	=	5.70
Woodlands	62% *	0	=	.00

TILLABLE SOILS SCORE: 5.70

FARM USE: Hay 50 acres

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 50% of the eligible costs. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st five (5) acres for homestead and flexibility of use
 - Exception is not to be severable from Premises
 - Right to Farm language is to be included in Deed of Easement
 - Exception is to be restricted to one single family residential unit
 - c. Additional Restrictions:
 1. Federal language with 5% impervious coverage restriction
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
No Structures On Premise
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for eligible costs ancillary to the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, N.J.A.C. 2:76-12.6 and N/J.A.C. 2:76-16.3 and SADC Policy P-5-A.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2013R1(9)

**Final Approval and Authorization to
Execute Deed of Easement, Project Agreement, and Closing Documents
D&R Greenway Land Trust, Inc. – Battiato Farm
2011 Non Profit Round – SADC #17-0038 NP**

January 24, 2013

WHEREAS, on December 20, 2010 the State Agriculture Development Committee ("SADC"), received a non-profit cost share grant application from D&R Greenway Land Trust, Inc. ("D&R") for the Battiato farm identified as Block 39, Lot 13, Mannington Township, Salem County, totaling approximately 58 net easement acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the application contains a two (2) acre non-severable exception around one existing single family residence; and

WHEREAS, as per SADC appraisal standards for Properties with significant riparian lands or non-riparian border water, the appraisers based the per acre analysis on the non-riparian and non-open water area only; and

WHEREAS, as per Policy P-3-B Supplement although the easement will cover riparian and border water acreage the SADC will not provide a cost share on this area; and

WHEREAS, based on the uplands area, the farm it is approximately 90 percent cropland harvested and pasture and was in corn production and pasture at the time of application and meets the minimum criteria as set forth in N.J.A.C. 2:76-6.20; and

WHEREAS, on April 28, 2011 the SADC granted preliminary approval by Resolution #FY2011R4(7) to the D&R application and appropriated \$1,943,000 for the acquisition of development easements or fee simple interest to six farms which D&R had submitted including the Property; and

WHEREAS, D&R has received Final Approval for the Waddington, Carpenter Jr. and Carpenter III farms in the 2011 Round which will utilize approximately \$416,730.25 of the appropriated funds, leaving a balance of approximately \$1,526,269.75; and

WHEREAS, in accordance with N.J.A.C. 2:76-12.2(b) the SADC determined that any farm that has a quality score (as determined by N.J.A.C. 2:76-6.16) greater than or equal to 70% of the county average quality score as determined in the County PIG program be eligible for funding; and

WHEREAS, the Property has a quality score of 73.24 which is greater than 70% of the County average quality score of 69.77 as determined on June 24, 2010; and

WHEREAS, the owner has read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises and Non-agricultural uses; and

WHEREAS, in accordance with N.J.A.C. 2:76-15.1 if two appraisals have been obtained on a parcel and the difference between the two appraisal values is 10 percent of the higher appraisal value or less, the eligible land cost shall be the average of the appraisal values. The two appraisals submitted were within 10 percent of the highest appraisal value and the resulting average was \$6,975 per acre; and

WHEREAS, on December 13, 2012 the SADC certified the easement value of the Property to be \$6,975 per acre based on current zoning (as of September 27, 2012), which certification is still subject to the Governor's review period of the SADC's December 13, 2012 meeting minutes ; and

WHEREAS, the SADC advised D&R of the certified value and its willingness to provide a 50 percent cost share grant pursuant to N.J.A.C. 2:76-15.1, not to exceed 50 percent of D&R's eligible costs and subject to available funds from the \$1,943,000 appropriated in the 2011 Nonprofit round; and

WHEREAS, D&R informed the SADC that it will accept SADC cost share of \$3,487.50 per acre and D&R is prepared to move forward with the project; and

WHEREAS, D&R has stated that the farm is included on D&R's Federal United States Department of Agriculture, Natural Resources Conservation Service FRPP grant application as a targeted farm and that they intend to utilize these Federal Grant funds for their matching grant; and

WHEREAS, the D&R/ Battiato farm is eligible for a Federal grant up to 50% of the FRPP approved easement value; and

WHEREAS, for purposes of this resolution the SADC will utilize the certified easement value of \$6,975 for the 50% FRPP grant or approximately \$177,862.50 based on 51 payment acres (non-riparian/non water boundary); and

WHEREAS, should alternate FRPP funding become available from other funding years or though other qualified entities such as the SADC, a Non-Profit organization or County it may be utilized if such funding benefits the easement acquisition and/or the successful use of FRPP funding; and

WHEREAS, the landowner has agreed to the additional restrictions associated with the FRPP Grant, including a 7% maximum impervious coverage restriction (approximately 3.6 acres available for impervious coverage including agricultural related structures) on the lands being preserved outside of the exception area; and

WHEREAS, the anticipated cost share participation for the project will be as follows based on 51 (non-riparian/non water boundary) acres:

D&R FRPP Grant	\$177,862.50	\$3,487.50/acre	(50% of \$6,975)
SADC Nonprofit Grant Funds	<u>\$177,862.50</u>	<u>\$3,487.50/acre</u>	(50% of \$6,975)
Total	\$355,725.00	\$6,975/acre; and	

WHEREAS, pursuant to N.J.A.C. 2:76-12.6 and N.J.A.C. 2:76-16.3, the SADC shall provide a cost share grant to D&R for up to 50% of the eligible ancillary costs which will be deducted from its appropriation and subject to the availability of funds;

NOW THEREFORE BE IT RESOLVED that the SADC grants final approval to the D&R Greenway Land Trust, Inc./ Battiato easement acquisition application subject to compliance with N.J.A.C. 2:76-16; and

BE IT FURTHER RESOLVED, that this final approval is subject to and conditioned upon the expiration of the Governor's veto period for the minutes of both the December 13, 2012 and January 24, 2013 SADC meetings; and

BE IT FURTHER RESOLVED, that the SADC approves a 2 acre non-severable exception around the existing home that shall be limited to one single family residence; and

BE IT FURTHER RESOLVED, the SADC shall provide a cost share grant not to exceed \$3,487.50 per acre (total of approximately \$177,862.50 based on 51 acres) to D&R Greenway Land Trust, Inc. for the development easement acquisition on the Property farm subject to the availability of funds; and

BE IT FURTHER RESOLVED, the SADC approves the use of D&R Federal Farm and Ranch Land Protection Program funds for the preservation of the Battiato farm, which will include an impervious coverage limitation of 7% and other restrictions required under the Federal Farm and Ranch Land Protection Program; and

BE IT FURTHER RESOLVED, the application is subject to the conditions contained in (Schedule B); and

BE IT FURTHER RESOLVED that the SADC authorizes staff to proceed with the preparation of a Project Agreement and closing documents prepared in accordance with N.J.A.C. 2:76-16.1; and

BE IT FURTHER RESOLVED, the SADC's cost share grant to D&R Greenway Land Trust, Inc. for the development easement purchase on the approved application shall be based on the final surveyed acreage of the Premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, and streams or water bodies on the boundaries of the Premises as identified in Policy P-3-B Supplement; and

BE IT FURTHER RESOLVE, that all survey, title and all additional documents required for closing shall be subject to review and approval by the SADC; and

BE IT FURTHER RESOLVED that the SADC authorizes Douglas Fisher, Secretary of Agriculture as Chairperson of the SADC or Executive Director Susan E. Payne to execute by signature all documents necessary to provide a grant to the D&R Greenway Land Trust, Inc. for the acquisition of a development easement on the Battiato farm; and

BE IT FURTHER RESOLVED that this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

1-24-13

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

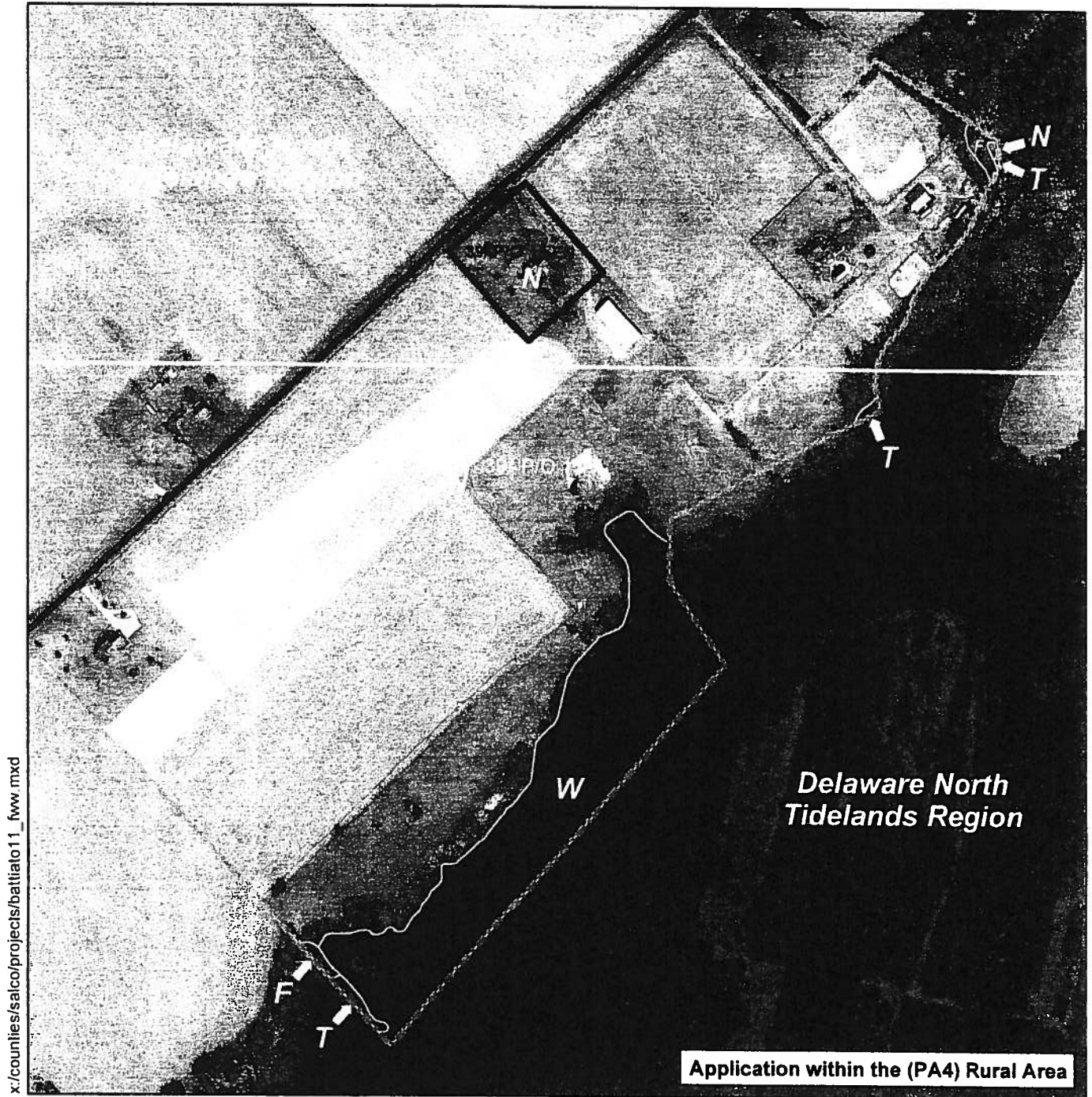
VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Fawn McGee (rep. DEP Commissioner Martin)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
James Waltman	YES
Torrey Reade	YES
Peter Johnson	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
Denis Germano	YES

\\ceres\SADC\NONPROFITS\2011 round\D&R Greenway\Battiato\final approval.doc

Wetlands

Schedule A

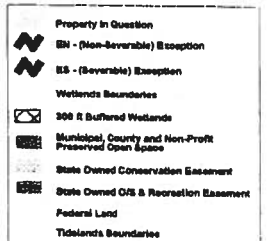


FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Janice Battiato Farm/D & R Greenway
Block 39 Lots P/O 13 (59.2 ac)
& P/O 13-EN (non-severable exception - 2.0 ac)
Gross Total = 61.2 ac
Mannington Twp., Salem County

TIDELANDS DISCLAIMER
The linear features depicted on this map were derived from the NJDEP's CD ROM series 1, volume 4 "Tidelands Claims Maps". These linear features are not an official NJDEP determination and should only be used as a general reference. Only NJDEP, Bureau of Tidelands Management can perform an official determination of Tidelands/Riparian claims.

DISCLAIMER Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.



Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJOT/OGIS 2007/2008 DigitalAerial Image

January 24, 2011

Schedule B

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

D&R Greenway/Battiato
17-0038-NP
FY 2011 Easement Purchase - Nonprofit
58 Acres

Block 39 Lot 13 Mannington Twp. Salem County

SOILS:

Local	14.2% *	.05	=	.71
Prime	85.8% *	.15	=	12.87
				SOIL SCORE: 13.58

TILLABLE SOILS:

Cropland Pastured	23.3% *	.15	=	3.50
Cropland Harvested	58.3% *	.15	=	8.75
Other	1.8% *	0	=	.00
Woodlands	16.6% *	0	=	.00
				TILLABLE SOILS SCORE: 12.24

FARM USE: Corn-Cash Grain 35 acres

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 50% of the eligible costs. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st two (2) acres for home/farmstead & future flexibility
 - Exception is not to be severable from Premises
 - Right to Farm language is to be included in Deed of Easement
 - Exception is to be restricted to one single family residential unit
 - c. Additional Restrictions:
 1. FRPP - 7% impervious coverage
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for eligible costs ancillary to the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, N.J.A.C. 2:76-12.6 and N/J.A.C. 2:76-16.3 and SADC Policy P-5-A.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2013R1(10)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

**MERCER COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of
Allan and Jean Moore
Hamilton Township, Mercer County**

**N.J.A.C. 2:76-17 et seq.
SADC ID# 11-0171-PG
January 24, 2013**

WHEREAS, on December 15, 2007, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") application from Mercer County, ("County") pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Mercer County received SADC approval of its FY2013 PIG Plan application annual update on May 24, 2012; and

WHEREAS, on March 11, 2011 the SADC received an individual application for the sale of a development easement from Mercer County for the Moore ("Owner") Farm identified as Block 2739, Lot 2, Hamilton Township, Mercer County, totaling approximately 49 net acres ("Property") and as identified on the attached map (Schedule A); and

WHEREAS, the Property is located in Mercer County's Hamilton Project Area; and

WHEREAS, the Property has a 3.0 acre non-severable exception containing an existing single family residence that cannot exceed 4,000 square feet of living space in the future; and

WHEREAS, the Property has no pre-existing non-agricultural uses and no residences for agricultural labor on the area to be preserved outside of the exception area; and

WHEREAS, the Owner has read and signed the SADC's guidance document for Exception Areas, Division of the Premises and Non Agricultural Uses; and

WHEREAS, the Property has a rank score of 69.03 which exceeds 70% of the County's average quality score of 54, as determined by the SADC on June 24, 2010; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on April 18, 2011 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on January 26, 2012 the SADC certified a development easement value of \$11,400 per acre based on current zoning and environmental regulations as of September 15, 2011; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$13,450 per acre for the development easement for the Property, which is greater than the certified value of \$11,400 but, less than the highest appraised value of \$15,900 per acre; and

WHEREAS, on November 30, 2012 the County submitted the Moore application to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, to date the County has not encumbered any funds from its \$1,500,000 FY2011 base grant funds (Schedule B); and

WHEREAS, the County will utilize FY11 base grant funding to cover the SADC cost share; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 50.47 acres will be utilized to calculate the SADC grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 50.47 acres):

	<u>Cost Share</u>	
SADC	\$345,214.80	(\$6,840 per acre, 60% of SADC certified value of \$11,400)
<u>Mercer County</u>	<u>\$333,606.70</u>	<u>(\$6,610 per acre)</u>
	\$678,821.50	(13,450 per acre); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, Hamilton Township approved the application on November 20, 2012, the County Agriculture Development Board approved the application on October 1, 2012 and the County Board of Chosen Freeholders approved the application on October 11, 2012 with its funding commitment; and

WHEREAS, the Mercer County Agriculture Development Board is requesting \$345,214.80 from its FY11 base grant funding), leaving a cumulative balance of \$1,154,785.20 in their FY11 base grant (Schedule B); and

WHEREAS, no competitive grant funding is needed for the SADC cost share grant on this Property, therefore the entire estimated SADC grant need will be encumbered from the County's base grants; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm consistent with the provisions of N.J.A.C. 2:76-6.11;

NOW THEREFORE BE IT RESOLVED, that the SADC, pursuant to N.J.A.C. 2:76-17.14, grants final approval to provide a cost share grant to Mercer County for the purchase of a development easement on the Moore Farm, comprising approximately 50.47 acres, at a State cost share of \$6,840 per acre (60% of certified market value) for a total grant need of approximately \$345,214.80 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, that to account for any potential increase in the estimated acreage utilized for evaluation purposes has been increased by 3% and has been applied to the funds encumbered from the County's base grant: and

BE IT FURTHER RESOLVED, that if additional base grant funds are needed due to an increase in acreage the grant may be adjusted so long as it does not impact any other application's encumbrance; and

BE IT FURTHER RESOLVED, any unused funds including the 3% buffer, if utilized, encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund) after closing on the easement purchase; and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that all survey, title and all additional documents required for closing shall be subject to review and approval by the SADC; and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

1-24-13

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Fawn McGee (rep. DEP Commissioner Martin)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
James Waltman	YES
Torrey Reade	YES
Peter Johnson	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
Denis Germano	YES

Wetlands

Schedule A



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Allan and Jean Moore
Block 2739 Lots P/O 2 (49.6 ac)
& P/O 2-EN (non-severable exception - 3.0 ac)
Gross Total = 52.6 ac
Hamilton Twp., Mercer County

250 125 0 250 500 Feet

TIDELANDS DISCLAIMER
The linear features depicted on this map were derived from the NJDEP's CD ROM series 1, volume 4, "Tidelands Claims Maps". These linear features are not an official NJDEP determination and should only be used as a general reference. Only NJDEP, Bureau of Tidelands Management can perform an official determination of Tidelands/Riparian claims.

DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.



Wetlands Legend:
 F - Freshwater Wetlands
 L - Linear Wetlands
 M - Wetlands Modified for Agriculture
 T - Tidal Wetlands
 N - Non-Wetlands
 B - 300' Buffer
 W - Water

Sources:
 NJDEP Freshwater Wetlands Data
 Green Acres Conservation Easement Data
 DVRPC 2010 Digital Aerial Image

January 17, 2013

Farm	Municipality	App No Buffer Acres	App Plus 3 Percent Acres	SADC Certified Per Acre	Negotiated & Approved		SADC Grant Per Acre	Actual Easement Consideration	SADC		1,500,000				Cap Total	Cum Encumbered	Balance subject to availability & approval 4,154,785.20	
					Per Acre	Per Acre			Cost	Base Grant			Competitive Grant					
										Encumbered at Final	PV			Balance				
											Encumbered	Expend						Balance
Moore, Allan	Hamilton	49	50.470	11,400.00	13,450.00	6,840.00	678,821.50	Share	345,214.80	345,214.80				3,000,000	4,500,000.00	345,214.80		
Skeba, Stanley	E. Windsor	19,000		12,000.00	estimate	7,200.00	136,800.00											
Hamill, Samuel M. Jr.	Lawrence	34,000		25,000.00	estimate	15,000.00	510,000.00	510,000.00										
Total Final Approval	1	49,000	50.470				678,821.50	345,214.80			345,214.80		0.00					
Total Pending w/o Funding	2	53,000					646,800.00											
Shortfall																		
Total Encumbered	1	49,000	50.47				678,821.50				345,214.80						345,214.80	
Closed/Expended	0	0,000	0,000					0.00					0.00				-345,214.80	
Total											345,214.80		0.00				345,214.80	
Reprogram Out																		

Schmidt C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Moore Farm
11- 0171-PG
FY 2011 County PIG Program
49 Acres

Block 2739	Lot 2	Hamilton Twp.	Mercer County
SOILS:		Other	10% * 0 = .00
		Prime	46% * .15 = 6.90
		Statewide	44% * .1 = 4.40
			SOIL SCORE: 11.30
TILLABLE SOILS:		Cropland Pastured	10% * .15 = 1.50
		Cropland Harvested	79% * .15 = 11.85
		Wetlands	8% * 0 = .00
		Woodlands	3% * 0 = .00
			TILLABLE SOILS SCORE: 13.35
FARM USE:	Soybeans-Cash Grain	44 acres	

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st three (3) acres for existing home/future home based business
 - Exception is not to be severed from Premises
 - Right to Farm language is to be included in Deed of Easement
 - Exception is to be restricted to one single family residential unit(s)
 - 4,000 sq. ft. size restriction on house
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
No Structures On Premise
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2013R1(11)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

MIDDLESEX COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
Jessie K. Voight
Voight Farm
South Brunswick Township, Middlesex County

N.J.A.C. 2:76-17 et seq.
SADC ID# 12-0017-PG

January 24, 2013

WHEREAS, on December 17, 2007, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") application from Middlesex County, ("County") pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Middlesex County received its latest SADC approval of its FY2013 PIG Plan application annual update on May 24, 2012; and

WHEREAS, on March 31, 2011 the SADC received an individual application for the sale of a development easement from Middlesex County for the Voight ("Owner") Farm identified as Block 22, Lot 17.0111, South Brunswick Township, Middlesex County, totaling approximately 36 net acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the Property is located in Middlesex County's Northwestern Project area; and

WHEREAS, the Property has one (1) existing single family residence, zero (0) residences used for agricultural labor, and no pre-existing non-agricultural uses; and

WHEREAS, the Property has one (1), 2 acre severable exception for, and restricted to, one single family residence; and

WHEREAS, the Property is currently an equine operation with approximately 16.9 acres in production as pasture and hay production (Schedule B); and

WHEREAS, approximately 7.70 acres is devoted to equine service (boarding services, riding ring, and a feed lot area and approximately 16.9 acres is devoted to equine production with activities including pasture and hay production and training horses for sale); and

WHEREAS, the Property has a rank score of 41.06 which exceeds 70% of the County's average quality score of 41, as determined by the SADC on June 24, 2010; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on August 17, 2011 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on June 28, 2012 the SADC certified a development easement value of \$34,350 per acre based on current zoning and environmental regulations as of the August 17, 2011 valuation date; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$34,350 per acre for the development easement for the Property; and

WHEREAS, on November 20, 2012 the County submitted the application to the SADC to conduct a final review of the for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, the County has \$1,032,656.35 available in SADC FY11 base grant funding available at this time (Schedule D); and

WHEREAS, the County will utilize FY11 base grant funding to cover the SADC cost share; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 37.08 acres will be utilized to calculate the SADC grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 37.08 acres):

	<u>Cost Share</u>	
SADC	\$764,218.80	(\$20,610 per acre or 60%)
South Brunswick Twp.	\$254,739.60	(\$6,870 per acre or 20%)
Middlesex County	\$254,739.60	(\$6,870 per acre or 20%)
	\$1,273,698	(\$34,350 per acre); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, South Brunswick Township approved the application on September 11, 2012 and its funding commitment, the County Agriculture Development Board approved the application on October 10, 2012 and the County Board of Chosen Freeholders approved the application on November 15, 2012 with its funding commitment; and

WHEREAS, the Middlesex County Agriculture Development Board is requesting \$764,218.80 from its FY11 base grant funding, leaving a cumulative balance of \$268,437.55 in it's FY11 base grant (Schedule D); and

WHEREAS, no competitive grant funding is needed for the SADC cost share grant on this Property, therefore the entire estimated SADC grant need will be encumbered from the County's base grants; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm consistent with the provisions of N.J.A.C. 2:76-6.11;

NOW THEREFORE BE IT RESOLVED, that the SADC, pursuant to N.J.A.C. 2:76-17.14, grants final approval to provide a cost share grant to Middlesex County for the purchase of a development easement on the Voight Farm, comprising approximately 37.08 acres, at a State cost share of \$20,610 per acre (60% of certified market value and purchase price) for a total grant need of approximately \$764,218.80 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule E); and

BE IT FURTHER RESOLVED that, the equine map (Schedule B) and specialized "*Equine Schedule B*" (draft shown in Schedule C) will be recorded with the Deed of Easement; and

BE IT FURTHER RESOLVED, that to account for any potential increase in the estimated acreage utilized for evaluation purposes has been increased by 3% and has been applied to the funds encumbered from the County's base grant; and

BE IT FURTHER RESOLVED, that if additional base grant funds are needed due to an increase in acreage the grant may be adjusted so long as it does not impact any other application's encumbrance; and

BE IT FURTHER RESOLVED, any unused funds including the 3% buffer, if utilized, encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund) after closing on the easement purchase; and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that all survey, title and all additional documents required for closing shall be subject to review and approval by the SADC; and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

1-24-13

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Fawn McGee (rep. DEP Commissioner Martin)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
James Waltman	YES
Torrey Reade	YES
Peter Johnson	YES
Jane R. Brodhecker	YES
Alan A. Danser	RECUSED
Denis Germano	YES

Schedule A



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Jesse Voight
Block 22 Lots P/O 17.0111 (34.5 ac)
& P/O 17.0111-ES (severable exception - 2.4 ac)
Gross Total = 37.0 ac
South Brunswick Twp., Middlesex County

250 125 0 250 500 Feet

DISCLAIMER Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.



Property in Question	
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
Wetlands Boundaries	
	Municipal, County and Non-Profit Preserved Open Space
	State Owned Conservation Easement
	State Owned OIS & Recreation Easement
	Federal Land

Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

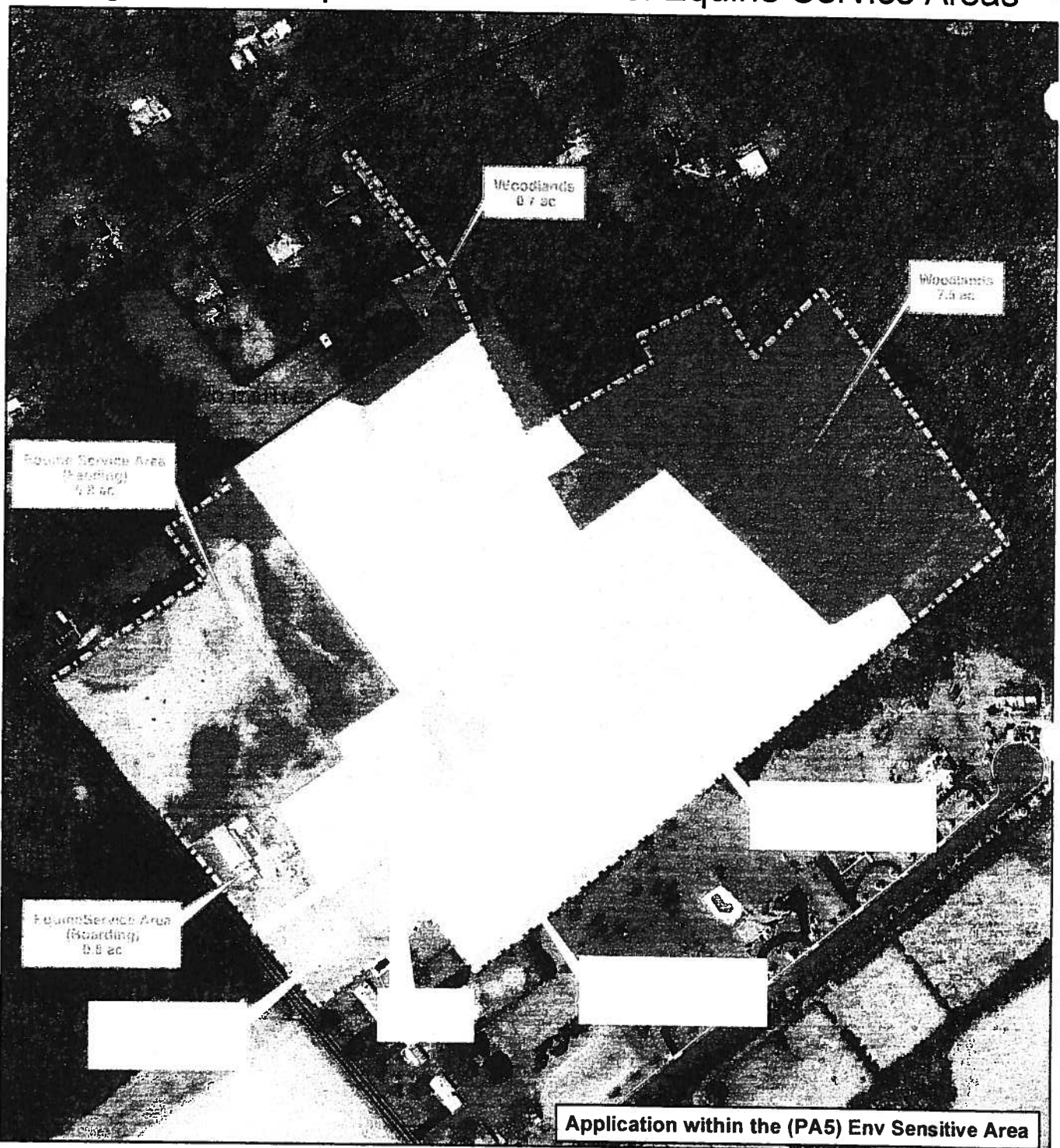
Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJOT/IGIS 2007/2008 Digital Aerial Image

July 29, 2011

Schedule B

Voight Farm - Equine Production vs. Equine Service Areas

x:\counties\midco\projects\voight2_equine.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Jesse Voight
Block 22 Lots P/O 17.0111 (34.5 ac)
& P/O 17.0111-ES (severable exception - 2.4 ac)
Gross Total = 37.0 ac
South Brunswick Twp., Middlesex County

250 125 0 250 500 Feet

DISCLAIMER Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

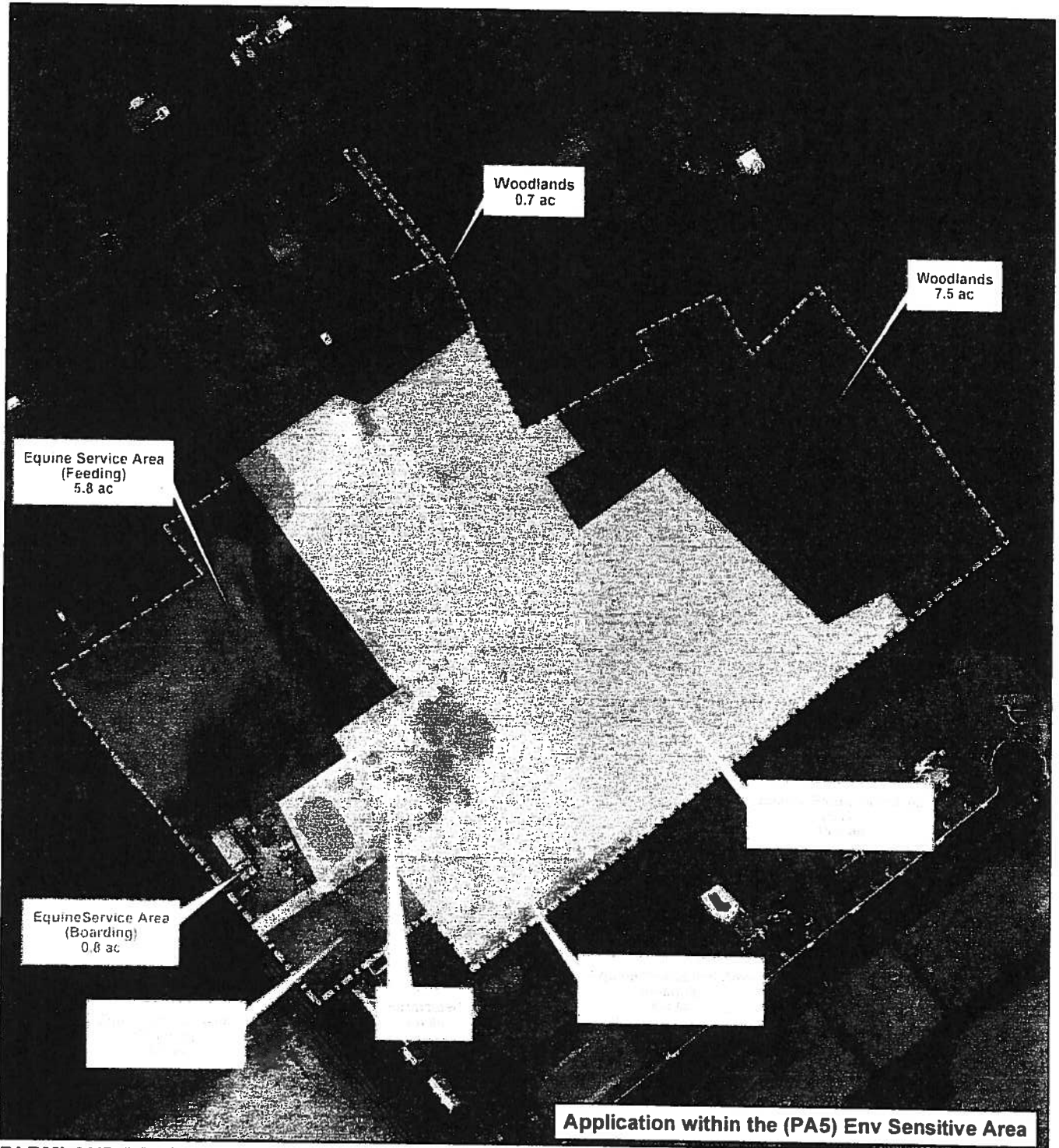
Property in Question	
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
	Equine Production (Pasture) - 8.4 ac
	Equine Production (Training Area) - 1.1 ac
	Equine Service Area (Hay) - 10.5 ac
	Equine Service Area (Boarding) - 0.8 ac
	Equine Service Area (Feed Lot) - 5.8 ac
	Woodlands - 8.1 ac
	Farmstead - 1.8 ac



Sources:
NJOT/OGIS 2007/2008 Digital Aerial Image

July 29, 2011

x:\counties\midco\projects\voight2_equine.mxd



**FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee**

Jesse Voight
Block 22 Lots P/O 17.0111 (34.5 ac)
& P/O 17.0111-ES (severable exception - 2.4 ac)
Gross Total = 37.0 ac
South Brunswick Twp., Middlesex County

250 125 0 250 500 Feet

DISCLAIMER Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

Property in Question	
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
	Equine Production (Pasture) - 8.4 ac
	Equine Production (Training Area) - 1.1 ac
	Equine Service Area (Hay) - 10.6 ac
	Equine Service Area (Boarding) - 0.8 ac
	Equine Service Area (Feed Lot) - 6.8 ac
	Woodlands - 8.1 ac
	Farmstead - 1.8 ac

Sources:
NJOT/QGIS 2007/2008 Digital Aerial Image
July 29, 2011

Schedule C

SCHEDULE B (deed of easement)

Grantor certifies that at the time of the application to sell the development easement to the Grantee no non-agricultural uses existed. Grantor further certifies that at the time of the execution of this Deed of Easement no non-agricultural uses exist.

Grantor certifies that at the time of the application to sell the development easement to the Grantee and at the time of the execution of this Deed of Easement the following uses occur on the Premises:

Horseback riding lessons, boarding, training and schooling horses, in an arena and stalls, as depicted on the survey dated _____, prepared by _____.

Grantor further certifies that the above uses (hereinafter "equine service activities") are currently ancillary to equine-related production, including pasturing, horse breeding and hay production. "Ancillary" means that the area of land on which equine service activities are conducted is subordinate, secondary and auxiliary in comparison to the area of the farm devoted to equine production activities. Grantor understands and agrees that because the equine service activities are ancillary to equine-related production, the said equine service activities are deemed agricultural uses and are not currently subject to the restrictions placed on non-agricultural uses in Paragraphs 3 and 4 of the Deed of Easement. The areas occupied by equine service activities and equine production activities are depicted on the attached aerial photograph identified as Schedule B1.

Grantor also understands and agrees that if, in the future, equine service activities are no longer "ancillary" as defined above, then the equine service activities will be deemed non-agricultural and will be subject to the restrictions contained in Paragraphs 3 and 4 of the Deed of Easement.

County Planning Incentive Grant - NJA20-270-17																		Balance	
Farm	Municipality	App No Buffer Acres	App Plus 3 Percent Acres	SADC Certified Per Acre	Negotiated & Approved Per Acre	SADC Grant Per Acre	Grant% Per Acre	Easement Consideration	SADC		1,500,000		3,000,000		Cum Expend	Cum Encumbered	Reprogram	subject to availability & approval	
									Cost Share	Encumbered at Final	Base Grant Balance	Competitive Grant Balance							
Kurek	Cranbury	155	159,650	7,750	7,750.00	4,775	61.61%	1,237,287.50	762,328.75	467,343.65	1,032,656.35		4,500,000	0.00	1,231,562.45		3,268,437.55		
Balance \$294,985.10 paid with FY09 (2007) Base grant funds																			
Vought, Jesse	South Brunswick	36,000	37,080	34,350	34,350.00	20,610	60.00%	1,273,698.00	764,218.80	764,218.80	268,437.55								
Reinhardt	Cranbury	41,000		28,500		17,100	60.00%	1,168,500.00	701,100.00										
Konopacki/Indyk Farm	Monroe	37,300		24,000		14,400	60.00%	895,200.00	537,120.00										
Withdrawn	Monroe	124,300																	
Trustee of Thomas Swales	Monroe	72,000																	
Gasko																			
Total Pending	4	269,300	196,730					4,574,685.50	2,764,767.55	1,231,562.45				0.00	1,231,562.45				
Total Encumbered	2	191,000	196,730					2,510,985.50	1,231,562.45	1,231,562.45									
Closed/Expended																			
Total																			
Reprogram Out																			
AFT 2011	6	465,600																	

Schedule D

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Voight Farm
12- 0017-PG
FY 2010 County PIG Program
36 Acres

Block 22 Lot 17.0111 South Brunswick Twp. Middlesex County

SOILS:

Other	4% *	0	=	.00
Prime	59% *	.15	=	8.85
Statewide	37% *	.1	=	3.70

SOIL SCORE: 12.55

TILLABLE SOILS:

Cropland Pastured	23% *	.15	=	3.45
Cropland Harvested	28% *	.15	=	4.20
Other	15% *	0	=	.00
Permanent Pasture	10% *	.02	=	.20
Woodlands	24% *	0	=	.00

TILLABLE SOILS SCORE: 7.85

FARM USE:

Horse & Other Equine	8 acres
Field Crop Except Cash Grain	16 acres

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st two (2) acres for Residential opportunity for daughter
 - Exception is severable
 - Exception is to be restricted to one single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
 - Standard Single Family
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2013R1(12)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

**SALEM COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of
Andrew and Leonor Thomas Farm
Upper Pittsgrove Township, Salem County**

**N.J.A.C. 2:76-17 et seq.
SADC ID# 17-0103-PG**

January 24, 2013

WHEREAS, on December 15, 2007, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") application from Salem County, hereinafter "County" pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, the SADC granted approval to Salem County for its 2013 PIG Planning application annual update on May 24, 2012; and

WHEREAS, on October 7, 2011 the SADC received an application for the sale of a development easement from Salem County for the subject farm hereinafter referred to as "Owner" identified as Block 47, Lot 8.02, Upper Pittsgrove Township, Salem County, totaling approximately 12 acres hereinafter referred to as "Property" and as identified on the attached map (Schedule A); and

WHEREAS, the Property is located in Salem County's Cohansey-Pole Tavern (1) project area; and

WHEREAS, there is one (1) single family residence on the Property; and

WHEREAS, at the time of application the Property was in soybean production; and

WHEREAS, the Property has no exception areas and the Owner has read and signed the SADC's guidance documents for Exception Areas, Division of the Premises and Nonagricultural Uses; and

WHEREAS, the Property has a rank score of 64.89 which exceeds 70% of the County's average quality score of 48, as determined by the SADC on June 24, 2010; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on November 23, 2011 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on September 27, 2012 the SADC certified a development easement value of \$5,050 per acre based on current zoning and environmental regulations as of November 23, 2011; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$5,050 per acre for the development easement for the Property; and

WHEREAS, on December 6, 2012 the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, the County has \$633,210.40 available in SADC FY09 base grant funding (Schedule B) and an additional \$1.5 million in FY11 base grant funding; and

WHEREAS, the Salem County Agriculture Development Board is requesting \$42,333.00 from its FY09 base grant, leaving a cumulative balance of \$590,877.40 (Schedule B); and

WHEREAS, no competitive grant funding is needed for the SADC cost share grant on this Property, therefore the entire estimated SADC grant need will be encumbered from the County's base grant; and

WHEREAS, pursuant to N.J.A.C. 2:76 17.14 the County is eligible to apply for an additional \$3,000,000 of competitive grant funding for a maximum FY 2009 grant of \$5,000,000, subject to the availability of funds for additional applications; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 12.36 acres will be utilized to calculate the SADC grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 12.36 acres):

	<u>Cost Share</u>	
SADC	\$42,333	(\$3,425 per acre or 67.82%)
<u>Salem County</u>	<u>\$20,085</u>	<u>(\$1,625 per acre or 32.18%)</u>
	\$62,418	(\$5,050 per acre); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, Upper Pittsgrove Township approved the application on December 11, 2012, the County Agriculture Development Board approved the application on November 28, 2012 and the County Board of Chosen Freeholders approved the application on December 5, 2012 with its funding commitment; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm consistent with the provisions of N.J.A.C. 2:76-6.11; and

NOW THEREFORE BE IT RESOLVED, that the SADC, pursuant to N.J.A.C. 2:76-17.14, grants final approval to provide a cost share grant to Salem County for the purchase of a development easement on the Thomas Farm, comprising approximately 12.36 acres, at a State cost share of \$3,425 per acre (67.82% of certified market value and purchase price) for a total grant need of approximately \$42,333 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, that to account for any potential increase in the estimated acreage utilized for evaluation purposes has been increased by 3% and has been applied to the funds encumbered from the County's base grant; and

BE IT FURTHER RESOLVED, that if additional base grant funds are needed due to an increase in acreage the grant may be adjusted so long as it does not impact any other application's encumbrance; and

BE IT FURTHER RESOLVED, any unused funds including the 3% buffer, if utilized, encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund) after closing on the easement purchase; and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that all survey, title and all additional documents required for closing shall be subject to review and approval by the SADC; and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

1-24-13

Date

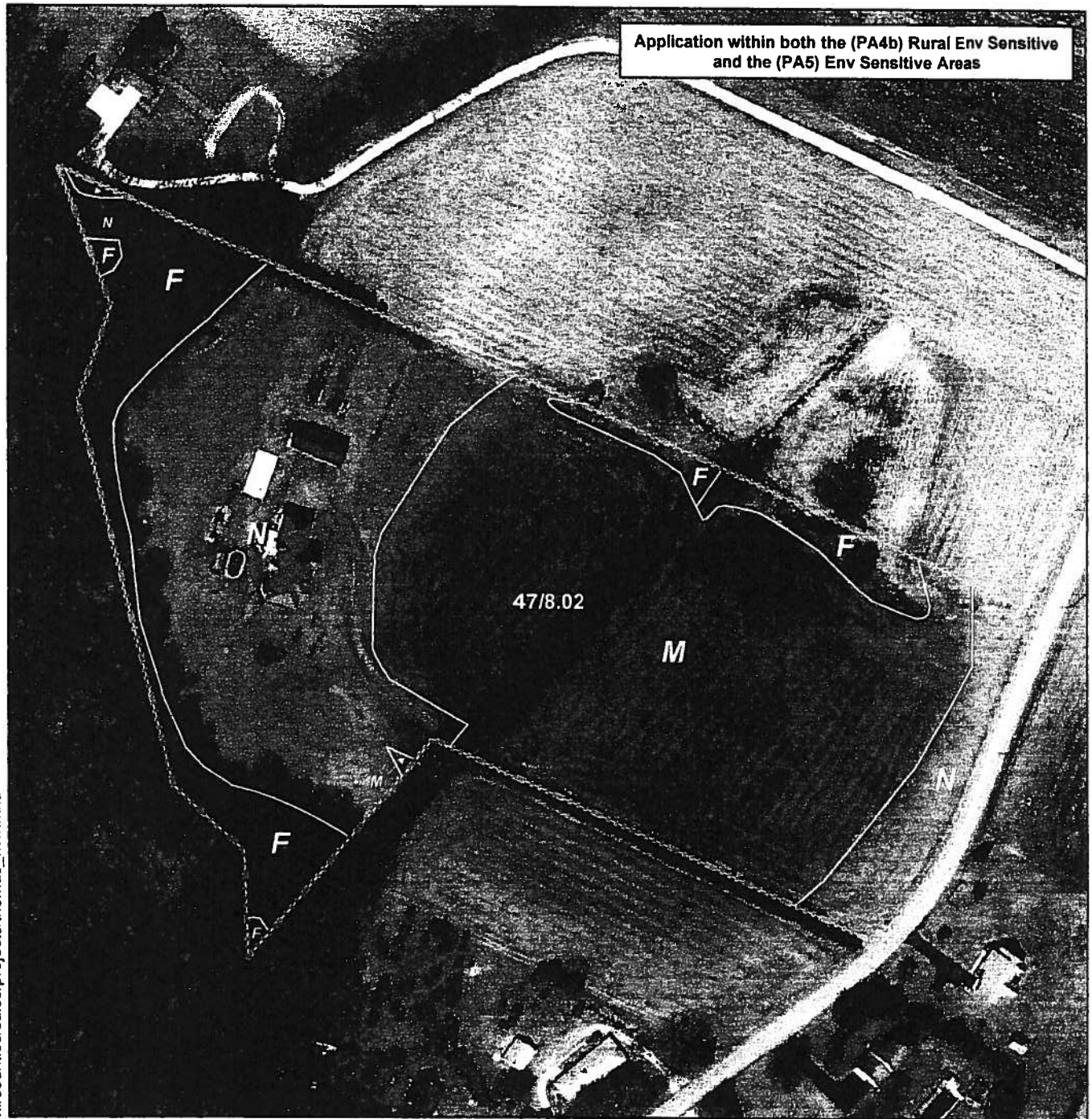


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Fawn McGee (rep. DEP Commissioner Martin)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
James Waltman	YES
Torrey Reade	YES
Peter Johnson	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
Denis Germano	YES

Schedule A



x:/counties/salco/projects/thomas_fw.mxd

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Andrew and Leonor Thomas
Block 47 Lot 8.02 (12.2 ac)
Gross Total = 12.2 ac
Upper Pittsgrove Twp., Salem County



Property in Question	
	BL - (Non-Reversible) Exemption
	ES - (Reversible) Exemption
Wetlands Boundaries	
	Municipal, County and Non-Profit Preserved Open Space
	State Owned Conservation Easement
	State Owned O&R & Recreation Easement
	Federal Land

Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

DISCLAIMER Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJ011/OGIS 2007/2008 Digital Aerial Image

October 31, 2011

Salem County + 409.4

New Jersey Farmland Preservation Program
Preservation Program
County Planning Incentive Grant - N.J.A.C. 2:75-17 pl 300

Farm	Municipality	App Acres	Plus 3 Percent Acres	SADC Certified Per Acre estimate	Negotiated & Approved Per Acre	SADC Grant Per Acre	Easement Consideration	Cost Share	Total Federal Grant	SADC Federal Grant	Base Grant			Competitive Grant	Balance subject to availability & approval
											Encumbered at Final	Expend	Balance		
FY05: P.L. 2008.c84 (001)											FY09		2,000,000.00	3,000,000.00	4,098,564.40
DiGregorio	Mannington	77,000	79,310	7,000.00	7,000.00	4,400.00	532,399.00	334,550.80	285,213.75	57,152.48	348,964.00	247,185.25	1,752,814.75		
Sickler, Kurt & Scott	Alloway	141,000	145,230	7,500.00	7,500.00	4,650.00	1,055,242.50	654,250.35			675,319.50	654,250.35	1,099,564.40		
Ewell, Clementine	Alloway	73,000	75,190	6,600.00	6,600.00	4,200.00	496,254.00	315,798.00			315,798.00		782,766.40		
Rera, Lenny and Beth	Pittsgrove	33,000	33,950	7,000.00	7,000.00	4,400.00	237,930.00	149,556.00			149,556.00		633,210.40		
Thomas, Andrew & Leonor	Upper Pittsgrove	12,000	12,360	5,050.00	5,050.00	3,425.00	62,418.00	42,333.00			42,333.00		590,877.40		
Van Sower, Mark & Suzanne	Quinton	54,000	55,620	7,500.00		4,650.00		258,633.00							
Moore	Mannington	145,000	149,350	7,500.00		4,650.00		694,477.50							
Total Pending	5	317,000	326,510				1,587,641.50	988,901.15	285,213.75	87,152.48					
Total Encumbered															
Closed/Expended	2	219,000	224,540				1,587,641.50	901,435.60				901,435.60			
Total															
Reprogram Out															
FY 10 & 11 expend												247,185.25			
Kurt, Andrew & Zola	Upper Pittsgrove	47,000	48,410												
Ware	Elsinboro	89,000	91,670												
Drummond	Upper Pittsgrove	42,000	43,260												
Weber	Elsinboro	30,000	30,900												
Rasb	Pittsgrove	101,000	104,03												

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Thomas Farm
17-0103-PG
FY 2010 County PIG Program
12 Acres

Block 47 Lot 8.02 Upper Pittsgrove Twp. Salem County

SOILS:	Other	45% *	0	=	.00
	Prime	10% *	.15	=	1.50
	Statewide	45% *	.1	=	4.50

SOIL SCORE: 6.00

TILLABLE SOILS:	Cropland Harvested	87% *	.15	=	13.05
	Wetlands	13% *	0	=	.00

TILLABLE SOILS SCORE: 13.05

FARM USE: Soybeans-Cash Grain acres

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions: No Exceptions Recorded
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
Standard Single Family
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2013R1(13)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

**SALEM COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of
Lenny and Beth Rera Farm
Pittsgrove Township, Salem County**

**N.J.A.C. 2:76-17 et seq.
SADC ID# 17-0102-PG**

January 24, 2013

WHEREAS, on December 15, 2007, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") application from Salem County, hereinafter "County" pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, the SADC granted approval to Salem County for its 2013 PIG Planning application annual update on May 24, 2012; and

WHEREAS, on October 7, 2011 the SADC received an application for the sale of a development easement from Salem County for the subject farm hereinafter referred to as "Owner" identified as Block 1405, Lot 7.01, Pittsgrove Township, Salem County, totaling approximately 33 acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the Property is located in Salem County's Cohansey-Pole Tavern (1) project area; and

WHEREAS, there is one (1) single family residence on the Property; and

WHEREAS, the farm's agricultural production at the time of application was pasture, hay production and an equine operation; and

WHEREAS, the equine operation consists of 18 horses which the landowner breeds and/or trains for sale, with no equine service activities occurring on the farm; and

WHEREAS, the Property has no exception areas and the Owner has read and signed the SADC's guidance document for Exception Areas, Division of the Premises and Non Agricultural Uses; and

WHEREAS, the Property has a rank score of 54.62 which exceeds 70% of the County's average quality score of 48, as determined by the SADC on June 24, 2010; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on December 7, 2011 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on September 27, 2012 the SADC certified a development easement value of \$7,000 per acre based on current zoning and environmental regulations as of the December 7, 2011; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$7,000 per acre for the development easement for the Property; and

WHEREAS, on December 6, 2012 the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, the County has \$782,766.40 available in SADC FY09 base grant funding (Schedule B) and \$1.5 million of FY11 base grant funding; and

WHEREAS, the Salem County Agriculture Development Board is requesting \$149,556 from its FY09 base grant, leaving a cumulative balance of \$633,210.40 (Schedule B); and

WHEREAS, no competitive grant funding is needed for the SADC cost share grant on this Property, therefore the entire estimated SADC grant need will be encumbered from the County's base grant; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 33.99 acres will be utilized to calculate the SADC grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 33.99 acres):

	<u>Cost Share</u>	
SADC	\$149,556	(\$4,400 per acre or 62.86%)
Salem County	\$88,374	(\$2,600 per acre or 37.14%)
	\$237,930	(\$7,000 per acre); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, Pittsgrove Township approved the application on January 23, 2013, the County Agriculture Development Board approved the application on November 28, 2012 and the County Board of Chosen Freeholders approved the application on December 5, 2012 with its funding commitment; and

WHEREAS, the County will utilize an installment purchase agreement ("IPA") to cover the easement purchase transaction; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm consistent with the provisions of N.J.A.C. 2:76-6.11; and

NOW THEREFORE BE IT RESOLVED, that the SADC, pursuant to N.J.A.C. 2:76-17.14, grants final approval to provide a cost share grant to Salem County for the purchase of a development easement on the Rera Farm, comprising approximately 33.99 acres, at a State cost share of \$7,000 per acre (62.86% of certified market value and purchase price) for a total grant need of approximately \$149,556 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, that to account for any potential increase in the estimated acreage utilized for evaluation purposes has been increased by 3% and has been applied to the funds encumbered from the County's base grant; and

BE IT FURTHER RESOLVED, that if additional base grant funds are needed due to an increase in acreage the grant may be adjusted so long as it does not impact any other application's encumbrance; and

BE IT FURTHER RESOLVED, any unused funds including the 3% buffer, if utilized, encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund) after closing on the easement purchase; and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that all survey, title and all additional documents required for closing shall be subject to review and approval by the SADC; and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

1-24-13

Date



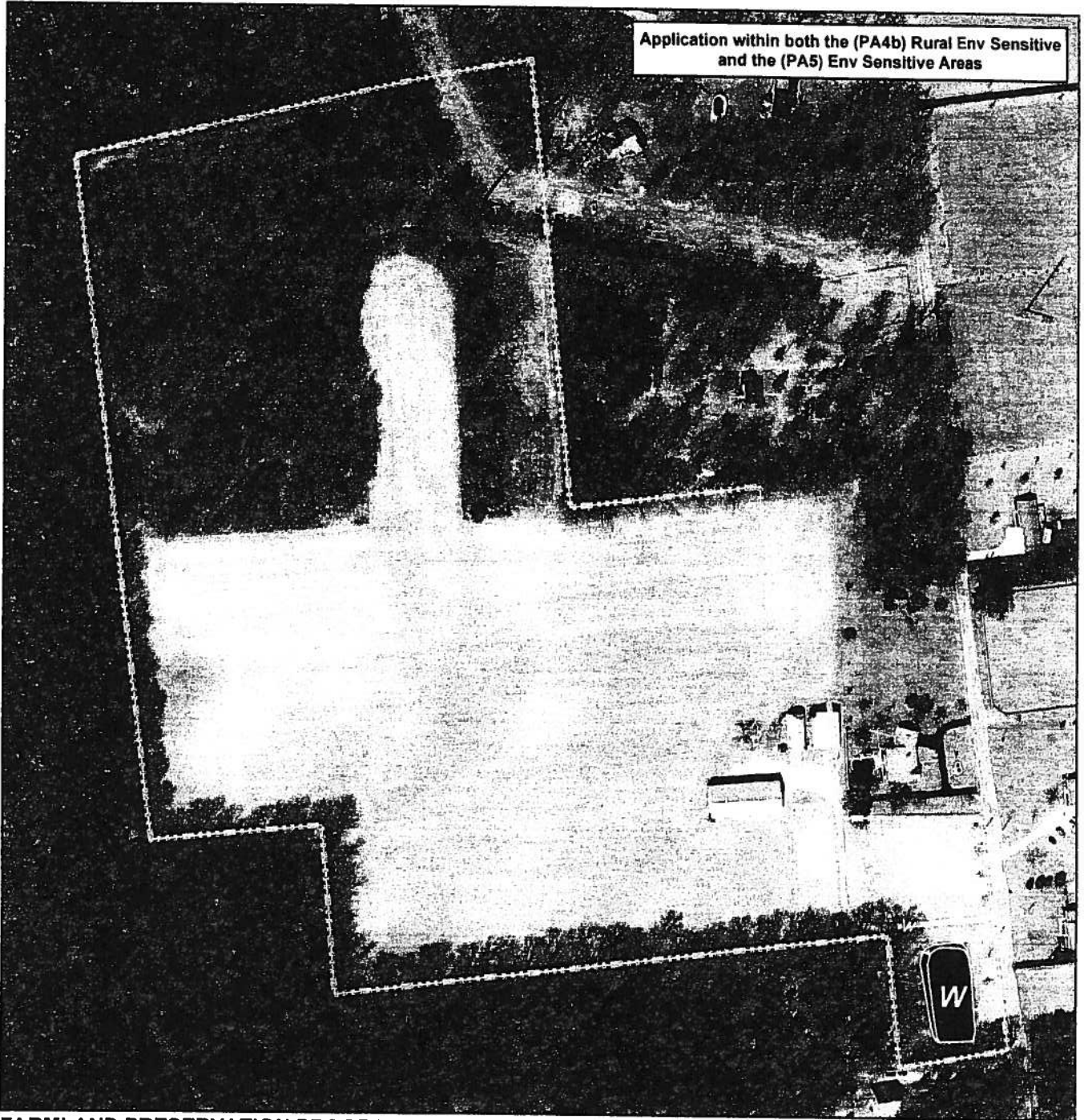
Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Fawn McGee (rep. DEP Commissioner Martin)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
James Waltman	YES
Torrey Reade	RECUSED
Peter Johnson	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
Denis Germano	YES

Schedule A

x:\counties\sarco\projects\rera2_fwv.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Lenny and Beth Rera
Block1405 Lot7.01 (33.4 ac)
Gross Total = 33.4 ac
Pittsgrove Twp., Salem County

250 125 0 250 500 Feet

DISCLAIMER Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.



Property in Question	
	SH - (Non-Severable) Exception
	ES - (Severable) Exception
Wetlands Boundaries	
	Municipal, County and Non-Profit Preserved Open Space
	State Owned Conservation Easement
	State Owned O/S & Recreation Easement
	Federal Land

Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJOT/OGIS 2007/2008 DigitalAerial Image

October 31, 2011

Schedule B

Salem County New Jersey Farmland Preservation Program Preservation Program County Planning Incentive Grant - N.J.A.C. 2-76-17 et seq.

Farm	Municipality	App Acres	Plus 3 Percent Acres	SADC Certified Per Acre estimate	Negotiated & Approved Per Acre	SADC Grant Per Acre	Easement Consideration	Cost Share	Federal Grant		Base Grant		Competitive Grant Balance	Balance subject to availability & approval
									Total	SADC	Encumbered at Final	Expend		
FY08: P.L. 2008-001											FY08		2,000,000.00	4,098,564.40
DIGregorio	Mannington	77,000	79,310	7,000.00	7,000.00	4,400.00	532,399.00	334,650.00	285,213.75	97,464.66	348,964.00	247,185.25	1,752,814.75	
Schier, Kurt & Scott	Alloway	141,000	145,230	7,500.00	7,500.00	4,650.00	1,055,242.50	654,250.35			675,319.50	654,250.35	1,098,564.40	
Elwell, Clementine	Alloway	73,000	75,190	6,600.00	6,600.00	4,200.00	496,254.00	315,798.00			315,798.00		782,766.40	
Rera, Lenny and Beth	Pittsgrove	33,000	33,990	7,000.00	7,000.00	4,400.00	237,930.00	149,556.00			149,556.00		633,210.40	
Thomas, Andrew & Leonor	Upper Pittsgrove	12,000	12,360	5,050.00	5,050.00	3,425.00	62,418.00	42,333.00			42,333.00		590,877.40	
Van Schuer, Mark & Suzanne	Quinton	54,000	55,620	7,500.00		4,650.00		258,633.00						
Moore	Mannington	145,000	149,350	7,500.00		4,650.00		694,477.50						
Total Pending	5	317,000	326,510				1,587,641.50	989,901.15	285,213.75	97,464.66				
Total Encumbered												901,435.60		
Closed/Expended	2	218,000	224,540				1,587,641.50	901,435.60						
Total														
Reprogram Out														
FY 10 & 11 expend												247,185.25		
Kurth, Andrew & Zolia	Upper Pittsgrove	47,000	48,410											
Ware	Elisboro	89,000	91,670											
Drummond	Upper Pittsgrove	42,000	43,260											
Weber	Elisboro	30,000	30,900											
Raab	Pittsgrove	101,000	104,030											

Schedule C

State Agriculture Development Committee SADC Final Review: Development Easement Purchase

Journeyman Farm
17-0102-PG
FY 2009 County PIG Program
33 Acres

Block 1405	Lot 7.01	Pittsgrove Twp.	Salem County
SOILS:		Prime	100% * .15 = 15.00
			SOIL SCORE: 15.00
TILLABLE SOILS:		Other	1% * 0 = .00
		Permanent Pasture	66% * .02 = 1.32
		Woodlands	33% * 0 = .00
			TILLABLE SOILS SCORE: 1.32
FARM USE:		Horse & Other Equine	20 acres
		Hay	20 acres

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions: No Exceptions Recorded
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
Standard Single Family
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2013R(14)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

**SALEM COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of
Clementine Elwell Farm
Alloway Township, Salem County**

**N.J.A.C. 2:76-17 et seq.
SADC ID# 17-0105-PG**

January 24, 2013

WHEREAS, on December 15, 2007, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") application from Salem County, hereinafter "County" pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, the SADC granted approval to Salem County for its 2013 PIG Planning application annual update on May 24, 2012; and

WHEREAS, on October 7, 2011 the SADC received an application for the sale of a development easement from Salem County for the subject farm hereinafter referred to as "Owner" identified as Block 40, Lot 4, Alloway Township, Salem County, totaling approximately 73 net acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the Property is located in Salem County's Cohansey-Pole Tavern (1) project area; and

WHEREAS, there is one (1) single family residence on the Property; and

WHEREAS, at the time of application the Property was in wheat, hay and dairy production; and

WHEREAS, the Property has no exception areas and the Owner has read and signed the SADC's guidance document for Exception Areas, Division of the Premises and Non Agricultural Uses; and

WHEREAS, the Property has a rank score of 63.83 which exceeds 70% of the County's average quality score of 48, as determined by the SADC on June 24, 2010; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on November 18, 2011 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on September 27, 2012 the SADC certified a development easement value of \$6,600 per acre based on current zoning and environmental regulations as of the October 18, 2011 valuation date; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$6,600 per acre for the development easement for the Property; and

WHEREAS, on December 6, 2012 the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, the County has \$1,098,564.40 available in SADC FY09 base grant funding (Schedule B) and \$1.5 million available in FY11 base grant funds; and

WHEREAS, the Salem County Agriculture Development Board is requesting \$315,798.00 from its FY09 base grant, leaving a cumulative balance of \$782,766.40 (Schedule B); and

WHEREAS, no competitive grant funding is needed for the SADC cost share grant on this Property, therefore the entire estimated SADC grant need will be encumbered from the County's base grant; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 75.19 acres will be utilized to calculate the SADC grant need; and

WHEREAS, the estimated cost share breakdown is as follows (based on 75.19 acres):

	<u>Cost Share</u>	
SADC	\$315,798	(\$4,200 per acre or 63.64%)
<u>Salem County</u>	<u>\$180,456</u>	<u>(\$2,400 per acre or 36.36%)</u>
	\$496,254	(\$6,600 per acre); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, Alloway Township approved the application on January 3, 2012, the County Agriculture Development Board approved the application on November 28, 2012 and the County Board of Chosen Freeholders approved the application on December 5, 2012 with its funding commitment; and

WHEREAS, the County will be utilizing the installment purchase agreement ("IPA") to complete the easement purchase transaction; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm consistent with the provisions of N.J.A.C. 2:76-6.11; and

NOW THEREFORE BE IT RESOLVED, that the SADC, pursuant to N.J.A.C. 2:76-17.14, grants final approval to provide a cost share grant to Salem County for the purchase of a development easement on the Elwell Farm, comprising approximately 75.19 acres, at a State cost share of \$4,200 per acre (63.64% of the certified market value and purchase price) for a total grant need of approximately \$315,798 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, that to account for any potential increase in the estimated acreage utilized for evaluation purposes has been increased by 3% and has been applied to the funds encumbered from the County's base grant: and

BE IT FURTHER RESOLVED, that if additional base grant funds are needed due to an increase in acreage the grant may be adjusted so long as it does not impact any other application's encumbrance; and

BE IT FURTHER RESOLVED, any unused funds including the 3% buffer, if utilized, encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund) after closing on the easement purchase; and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that all survey, title and all additional documents required for closing shall be subject to review and approval by the SADC; and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

1-24-13

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Fawn McGee (rep. DEP Commissioner Martin)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
James Waltman	YES
Torrey Reade	YES
Peter Johnson	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
Denis Germano	YES

Schedule A

Application within the (PA4) Rural Area

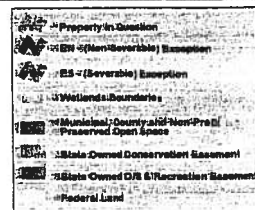
x:\counties\sarco\projects\elwell_fw\fw.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Clementine Elwell
Block 40 Lot 4 (71.3 ac)
Gross Total = 71.3 ac
Alloway Twp., Salem County

500 250 0 500 1,000 Feet



Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJOT/OGIS 2007/2008 DigitalAerial Image

October 31, 2011

Salem County **FY09** #
New Jersey Farmland Preservation Program
Preservation Program

Farm	Municipality	App Acres	Plus % Percent Acres	SADC Certified Per Acre estimate	Negotiated & Approved Per Acre	SADC Grant Per Acre	Estimate Consideration	Cost Share	Total Federal Grant Federal Grant	Encumbered in FY09	Base Grant		Competitive Grant Balance	Balance subject to availability & approval
											Expend	Balance		
FY09: P.L. 2009-04 (001)														
DIGregorio	Mannington	77,000	79,310	7,000.00	7,000.00	4,400.00	532,399.00	334,650.80	285,213.75	348,964.00	247,185.25	1,752,814.75		
Schler, Kurt & Scott	Alloway	141,000	145,230	7,500.00	7,500.00	4,650.00	1,055,242.50	654,250.35		675,319.50	654,250.35	1,098,564.40		
Elwell, Clementine	Alloway	73,000	75,190	6,800.00	6,800.00	4,200.00	496,254.00	315,798.00		315,798.00		782,766.40		
Rera, Lenny and Beth	Pittsgrove	33,000	33,990	7,000.00	7,000.00	4,400.00	237,930.00	149,556.00				633,210.40		
Thomas, Andrew & Loomer	Upper Pittsgrove	12,000	12,360	5,050.00	5,050.00	3,425.00	62,418.00	42,333.00		42,333.00		590,877.40		
Van Siver, Mark & Suzanne Moore	Quinton Mannington	54,000 145,000	55,620 149,350	7,500.00 7,500.00		4,650.00 4,650.00		258,633.00 694,477.50						
Total Pending	5	317,000	326,510				1,587,641.50	988,901.15	285,213.75					
Total Encumbered							1,587,641.50	988,901.15						
Closed/Expendable	2	218,000	224,540								981,435.60			
Total														
Reprogram Out											247,185.25			
FY 10 & 11 expend														
Upper Pittsgrove	Upper Pittsgrove	47,000	48,410											
Wara	Elmhurst	89,000	91,670											
Drummond	Upper Pittsgrove	42,000	43,260											
Weber	Elmhurst	30,000	30,900											
Raab	Pittsgrove	101,000	104,03											

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Elwell Farm
17-0105-PG
FY 2009 County PIG Program
71 Acres

Block 40	Lot 4	Alloway Twp.	Salem County
SOILS:		Prime	100% * .15 = 15.00
			SOIL SCORE: 15.00
TILLABLE SOILS:		Cropland Harvested	64% * .15 = 9.60
		Other	4% * 0 = .00
		Permanent Pasture	28% * .02 = .56
		Wetlands	4% * 0 = .00
			TILLABLE SOILS SCORE: 10.16
FARM USE:		Wheat-Cash Grain	45 acres
		Hay	5 acres
		Dairy	22 acres

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions: No Exceptions Recorded
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
Standard Single Family
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE
RESOLUTION FY2013R1(15)
FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
SUSSEX COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of
Max & Ingrid Klein
Fredon Township, Sussex County

N.J.A.C. 2:76-17 et seq.
SADC ID# 19-0030-PG

JANUARY 24, 2013

WHEREAS, on December 15, 2007, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Sussex County, hereinafter "County" pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, Sussex County received SADC final approval of its 2013 PIG Planning application annual update on May 24, 2012; and

WHEREAS, on January 6, 2012 the SADC received an application for the sale of a development easement from Sussex County for the Klein Farm identified as Block 1801, Lot 12.03, Fredon Township, Sussex County, totaling approximately 15 acres hereinafter referred to as "Property" (Schedule A) ; and

WHEREAS, the Property is located in Sussex County's Kittatiny Valley West-2 Project Area; and

WHEREAS, the Property includes one, 1-acre non-severable exception for one future single family residence; and

WHEREAS, the Property has a quality score of 63.67 which is greater than 70% of the County's average quality score 39 as determined by the SADC on July 28, 2011; and

WHEREAS, the Property is currently in field crop production; and

WHEREAS, the owners have read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises and Non-agricultural uses; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on April 11, 2012 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a);

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on November 8, 2012 the SADC certified a value of \$5,700 per acre based on current zoning and environmental regulations as of August 2012 for the development easement for the Property for an estimated total of \$85,500; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owner accepted the County's offer of \$5,700 per acre for the development easement for the Property; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.8, on April 20, 2011 the SADC established FY11 funding allocations to provide eligible counties with a base grant of \$1,500,000 with the ability to obtain an additional competitive grant not to exceed \$3,000,000 to purchase development easements on eligible farms, subject to available funds; and

WHEREAS, to date \$962,527.28 in SADC FY11 base grant funds have been encumbered, leaving a cumulative balance of \$537,472.72 (Schedule B); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.8, and 17.14 Sussex County is eligible to apply for an additional \$3,000,000 dollars of competitive grant funding for a maximum FY 2011 grant of \$4,500,000, subject to the availability of funds; and

WHEREAS, no competitive grant funding is needed for the SADC cost share grant on this Property, therefore the entire amount will be encumbered from Sussex County's base grant; and

WHEREAS, the SADC submitted a parcel application to the FY12 United States Department of Agriculture, Natural Resources Conservation Service Federal Farm and Ranch Lands Protection Program (FRPP); and

WHEREAS, the NRCS has been determined that the Property and the Landowner qualify for FRPP grant funds and approved a grant of approximately \$45,000; subject to and not to exceed 50% of the federal appraised current value based on the surveyed acreage; and

WHEREAS, for the purposes of this resolution the FRPP grant will be based on the lowest easement value considered by the SADC at the time of the easement value certification which is \$5,700 per acre equating to an FRPP grant of \$2,850 per acre (50% of \$5,700) or approximately \$44,032.50 in total FRPP funds; and

WHEREAS, should alternate FRPP funding become available from other funding years or through other qualified entities such as the SADC, a Non-Profit organization or County it may be utilized if such funding benefits the easement acquisition and/or the successful use of FRPP funding; and

WHEREAS, the landowner has agreed to the additional restrictions associated with the use of FRPP grant funding, including a one acre impervious cover limit for the construction of agricultural infrastructure on the Property outside of exception area; and

WHEREAS, due to funding limitations Sussex County has requested that FRPP grant funds be "passed through" to cover the entire local cost share; and

WHEREAS, on November 29, 2012 the County prioritized its farms and submitted its application in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 15.45 acres will be utilized to calculate the grant need; and

WHEREAS, the cost share breakdown is approximately as follows based on 15.45 acres:

Cost share breakdown prior to FRPP Grant:

	<u>Total</u>	
SADC	\$57,937.50	(65.79% at \$3,750/acre)
Sussex County	\$30,127.50	(34.21% at \$1,950/acre)
Total Easement Purchase	\$88,065.00	(at \$5,700/acre)

Cost share breakdown after \$44,032.50 FRPP Grant is applied:

	<u>Total</u>	<u>FRPP \$</u>	<u>New Cost Share</u>	
FRPP Grant			\$44,032.50	(50% at \$2,850/acre)
Sussex County	\$30,127.50 (\$1,950/ac)	\$30,127.50	\$ 0	
SADC	\$57,937.50 (\$3,750/ac)	\$13,905	\$44,032.50	(50% at \$2,850/acre)
	\$88,065.00	\$44,032.50	\$88,065	\$5,700 /acre

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, the Fredon Township Committee approved the application of the Klein Farm on January 28, 2010, and the Sussex County Agriculture Development Board approved the application on December 17, 2012 and secured a commitment of funding for 40% of the easement purchase (\$1,950 per acre or an estimated \$30,127.50) from the Sussex County Board of Chosen Freeholders for the required local match on January 16, 2013; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm consistent with the provisions of N.J.A.C. 2:76-6.11; and

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Sussex County for the purchase of a development easement on the Klein Farm, comprising approximately 15.45 acres, at a State cost share of approximately \$57,937.50 (65.79% of certified market value and 65.79% of the purchase price) pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule C; and

BE IT FURTHER RESOLVED, that to account for any potential increase in the final surveyed acreage, a 3% acreage buffer has been applied to the funds encumbered from the County's base grant, which would allow for a maximum SADC cost share of \$57,937.50; and

BE IT FURTHER RESOLVED, that the SADC will utilize any remaining FRPP grant funds (estimated \$13,905) to offset SADC grant needs on the Property; and

BE IT FURTHER RESOLVED, that the SADC cost share grant shall utilize an approximate total of \$44,032.50 from Sussex County's base grant funds and \$13,905 from the USDA, NRCS FY12 FRPP grant funds; and

BE IT FURTHER RESOLVED, that if additional base grant funds are needed due to an increase in acreage the grant may be adjusted so long as it does not impact any other applications' encumbrance; and

BE IT FURTHER RESOLVED, any unused funds encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund); and

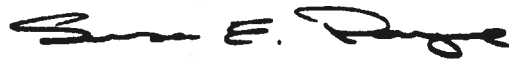
BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with the County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

1-24-13

Date

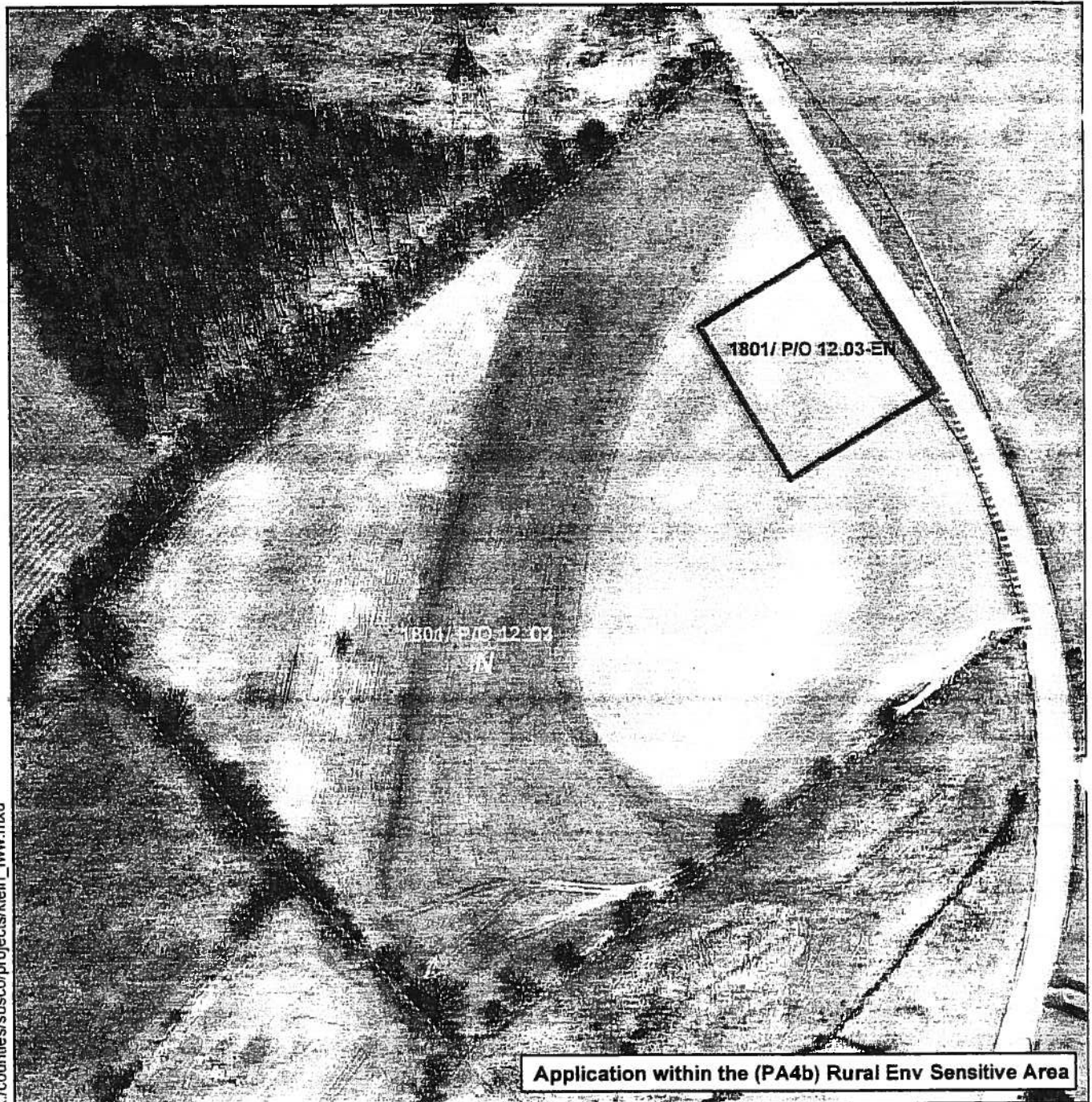


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Fawn McGee (rep. DEP Commissioner Martin)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
James Waltman	YES
Torrey Reade	YES
Peter Johnson	YES
Jane R. Brodhecker	RECUSED
Alan A. Danser	YES
Denis Germano	YES

Schedule A



x:\counties\susco\projects\klein_fw.mxd

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Max and Ingrid Klein
Block 1801 Lots P/O 12.03 (14.8 ac)
& P/O 12.03-EN (non-severable exception - 1.0 ac)
Gross Total = 15.8 ac
Fredon Twp., Sussex County

250 125 0 250 500 Feet



Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJOT/OGIS 2007/2008 Digital Aerial Imagery

January 11, 2012

Sussex County

As of 12/16/2012

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Klein, Max & Ingrid
19- 0030-PG
FY 2011 County PIG Program
15 Acres

Block 1801	Lot 12.03	Fredon Twp.	Sussex County
SOILS:		Other	100% * 0 = .00
			SOIL SCORE: .00
TILLABLE SOILS:		Cropland Harvested	99% * .15 = 14.85
		Other	1% * 0 = .00
			TILLABLE SOILS SCORE: 14.85
FARM USE:		Field Crop Except Cash Grain	14 acres

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st one (1) acres for future residence
 - Exception is not to be severed from Premises
 - Exception is to be restricted to one single family residential unit(s)
 - c. Additional Restrictions:
 1. One Acre impervious cover max pursuant to Federal Farm and Ranch Land Protection Program
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
No Structures On Premise
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L.1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2013R1(16)

SADC EASEMENT ACQUISITION
PRELIMINARY APPROVAL
of an "OTHER" FARM
IN THE HIGHLANDS PRESERVATION AREA

JANUARY 24, 2013

Subject Farm: Andersen, Tor
Block 19, Lot 109; Block 19.06, Lots 62 & 64
Sparta Township, Sussex County
SADC ID# 19-0017-DE
Approximately 13 net easement acres

WHEREAS, pursuant to N.J.A.C. 2:76-11.3, an owner of farmland may offer to sell to the State Agriculture Development Committee ("SADC") a development easement on the farmland; and

WHEREAS, on October 16, 2012 the SADC received an SADC easement acquisition application from Tor Andersen for Property identified Block 19, Lot 107; Block 19.06, Lots 62 & 64, Sparta Township, Sussex County, totaling approximately 13 net acres as shown on (Schedule A); and

WHEREAS, the landowner purchased the farm in 2012 but still qualifies for 01/01/04 zoning consideration in the appraisal because he meets the definition of a "farmer" pursuant to N.J.A.C. 13:20-1 et seq. and N.J.A.C. 13:8C-38j(1); and

WHEREAS, staff evaluated this application for the sale of development easement pursuant to SADC Policy P-14-E, Prioritization criteria, N.J.A.C. 2:76-6.16 and the State Acquisition Selection Criteria approved by the SADC on September 27, 2012 which categorized applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, staff finds that the Property, with a quality score of 42.29 and 13 net acres, does not meet the SADC's Sussex County minimum ranking criteria for the "Priority" or "Alternate" categories which requires a quality score of at least 38 combined with at least 46 acres, therefore this farm is categorized as an "Other" farm requiring SADC preliminary approval; and

WHEREAS, the Property meets the minimum eligibility criteria as set forth in N.J.A.C. 2:76-6.20; and

WHEREAS, all of the Property's lots, except Block 19, Lot 107, are within the County Agriculture Development Area and the County Planning Incentive Grant Eastern Highlands 2 project area ; and

WHEREAS, the Property is located within the New Jersey State Plan-designated Environmentally Sensitive Area (PA5) and within the Highlands Agriculture Priority and Resource Areas as well as the Highlands Preservation Area's "Protection Zone" (Schedule B) and

WHEREAS, this farm has two (2) existing single family residences; and

WHEREAS, the applicant has requested an a 0.5-acre non-severable exception area for future flexibility of use for the existing farm market, which sells goods produced on this farm and from additional land owned by the Andersen's, and

WHEREAS, the farm has 64.5% Prime soil and +/- 7 acres are in corn/ field crop production (Schedule C); and

WHEREAS, on March 23, 2006 the SADC adopted the FY 2006 Highlands Preservation Appropriation Expenditure Policy - Amended, which approves the use of Highlands funds to support additional applications in all farmland preservation programs where demand for funding has outstripped otherwise approved SADC funding. The Property is a candidate for this funding source; and

WHEREAS, at this time there is approximately \$1.9 million available from the \$30 million originally designated as Highlands funding; and

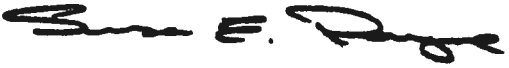
WHEREAS, pursuant to N.J.A.C. 2:76-11.6 (b) 1.i., there are no "Priority" or "Alternate" Ranked applications at this time in the Highlands Preservation Area which have not already been accepted for processing and have funding earmarked; and

NOW THEREFORE BE IT RESOLVED that the SADC grants preliminary approval to the Property for an easement acquisition and authorizes staff to proceed with the following:

1. Enter into a 120 day option agreement.
2. Secure two independent appraisals to estimate the fair market value of the Property.
3. Review the two independent appraisals and recommend a certified fair market easement value of the property to the SADC.

BE IT FURTHER RESOLVED, that this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

1-24-13
Date

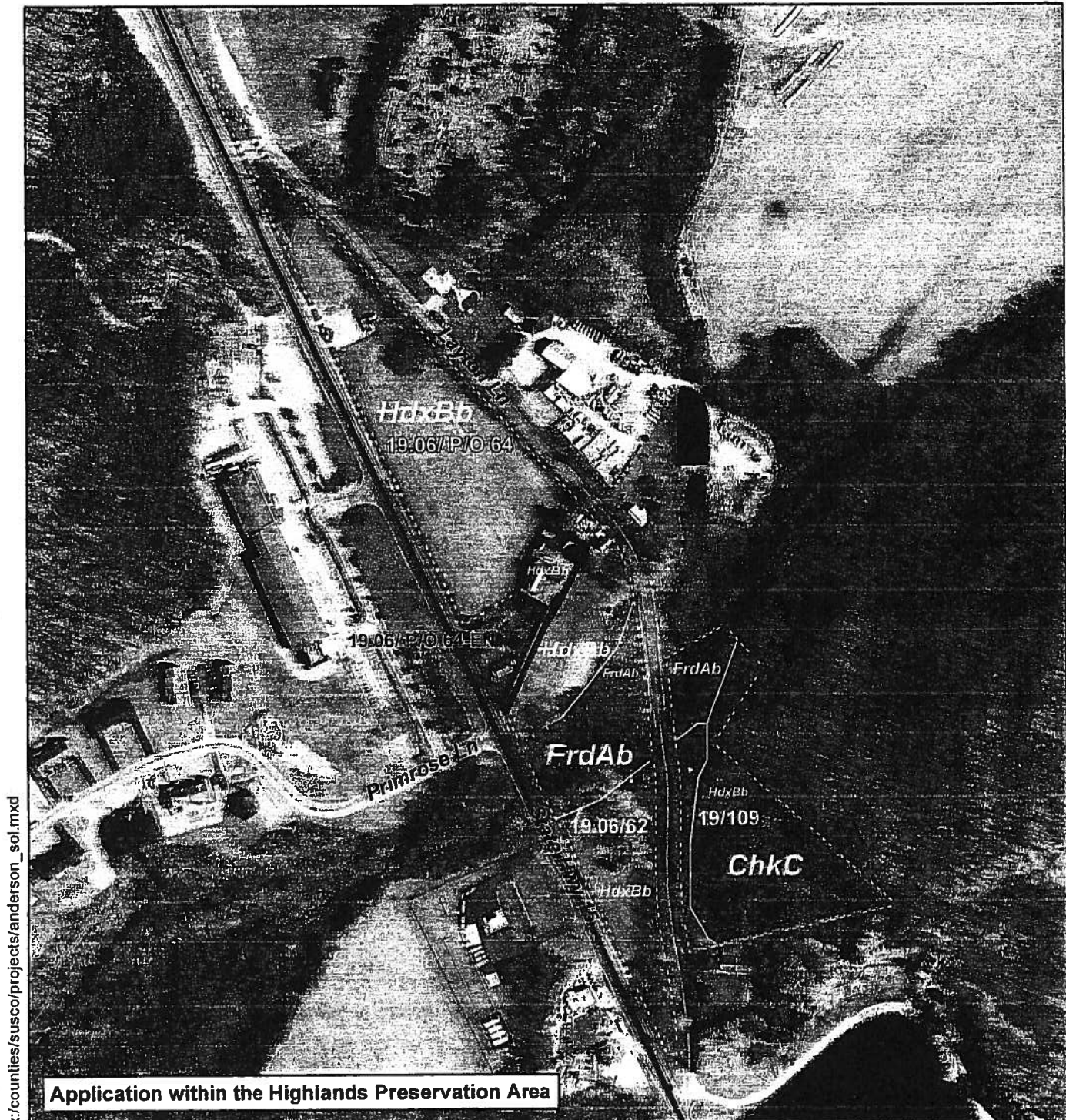


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Fawn McGee (rep. DEP Commissioner Martin)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
James Waltman	YES
Torrey Reade	YES
Peter Johnson	YES
Jane R. Brodhecker	RECUSED
Alan A. Danser	YES
Denis Germano	YES

Soils



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Tor Anderson
Block 19 Lot 109 (3.8 ac); Block 19.06 Lots 62 (2.9 ac),
P/O 64 (7.1 ac) & P/O 64-EN (non-severable exception - 0.5 ac)
Gross Total = 14.3 ac
Sparta Twp., Sussex County

500 250 0 500 1,000 Feet

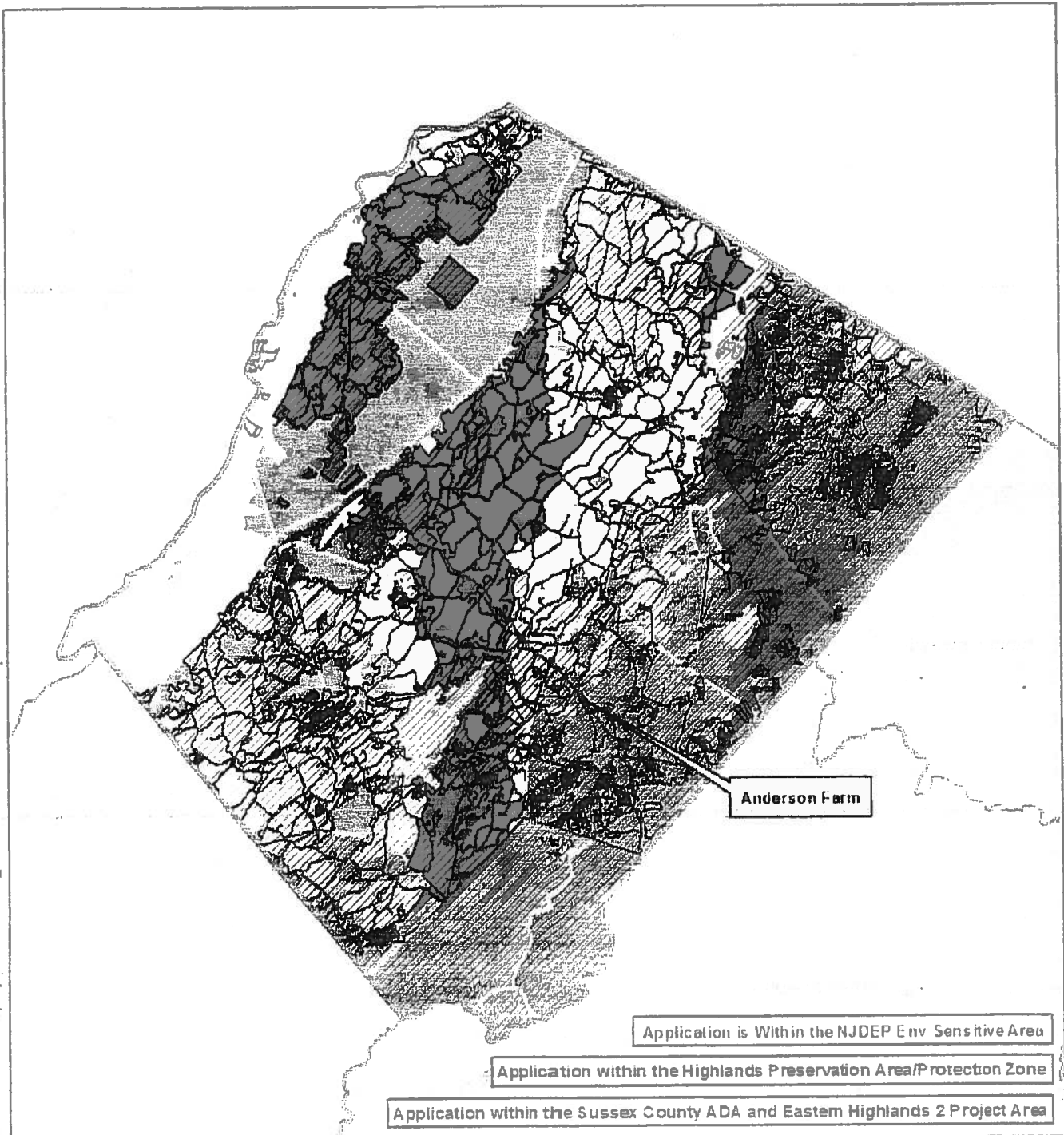


DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

Sources:
NRCS - SSURGO 2010 Soil Data
Green Acres Conservation Easement Data
NJOT/OGIS 2007/2008 Digital Aerial Image

December 14, 2012

x:\counties\susco\projects\anderson_Env\S2.mxd



Tor Anderson
Block 19 Lot 109 (3.8 ac); Block 19.06 Lots 62 (2.9 ac),
P/O 64 (7.1 ac) & P/O 64-EN (non-severable exception - 0.5 ac)
Gross Total = 14.3 ac
Sparta Twp., Sussex County

[illegible]

- [illegible]

SD0106L
Green Acres Containing: Easement Data
NEEP Environmental Data Section Area:
Boundary to the Port of Entry Act of 2000
NEEP Environmental Data
NEEP Environmental Data Section Area:

17.275 © 2013

State of New Jersey
State Agriculture Development Committee
Farmland Preservation Program
Quality Ranking Score

GENERAL INFORMATION

COUNTY OF Sussex Sparta Twp. 1918

APPLICANT Andersen, Tor

PRIORITIZATION SCORE

SOILS:	Other	36%	*	0	=	.00	
	Prime	64%	*	.15	=	9.60	
							SOIL SCORE: 9.60
TILLABLE SOILS:	Cropland Harvested	50%	*	.15	=	7.50	
	Other	16%	*	0	=	.00	
	Wetlands	16%	*	0	=	.00	
	Woodlands	18%	*	0	=	.00	
							TILLABLE SOILS SCORE: 7.50
BOUNDARIES	Commercial	15%	*	0	=	.00	
AND BUFFERS:	Highways and Railroads	34%	*	.1	=	3.40	
	Residential Development	20%	*	0	=	.00	
	Streams and Wetlands	18%	*	.18	=	3.24	
	Woodlands	13%	*	.06	=	.78	
							BOUNDARIES AND BUFFERS SCORE: 7.42
CONTIGUOUS	No Points					0	
PROPERTIES							
/ DENSITY:							DENSITY SCORE: .00
LOCAL COMMITMENT:		100%	*	14	=	14.00	
							LOCAL COMMITMENT SCORE: 14.00
SIZE:							SIZE SCORE: .89
IMMIMENCE OF CHANGE:	SADC Impact factor =	2.88					
							IMMINENCE OF CHANGE SCORE: 2.88
COUNTY RANKING:							
EXCEPTIONS:							EXCEPTION SCORE: .00
							TOTAL SCORE: 42.29

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2013R1(17)

**Final Approval and Authorization to Execute Closing Documents
Authorization to Contract for Professional Services
SADC Easement Purchase**

**On the Property of
Edward Olbrich**

January 24, 2013

Subject Property: Olbrich Farm
Block 1002, Lot 19
Block 1101, Lot 48
Block 1102, Lots 12 & 13
Pittsgrove Twp., Salem County
SADC #17-0238-DE
Approximately 125 Net Acres

WHEREAS, on August 31, 2011, the State Agriculture Development Committee ("SADC") received a development easement sale application from Edward Olbrich, hereinafter "Owner," identified as Block 1002, Lot 19, Block 1101, Lot 48, Block 1102, Lots 12 & 13, Pittsgrove Twp., Salem County, hereinafter "Property," totaling approximately 125 net acres, (Schedule A); and

WHEREAS, the SADC is authorized under the Garden State Preservation Trust Act, pursuant to N.J.S.A. 13:8C-1 et seq., to purchase development easements directly from landowners; and

WHEREAS, staff evaluated this application for the sale of development easement pursuant to SADC Policy P-14-E, Prioritization criteria, N.J.A.C. 2:76-6.16 and the State Acquisition Selection Criteria approved by the SADC on July 28, 2011, which categorized applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, the Property has a quality score of 62.89, which exceeds the Priority Quality score for Salem County of 62, and the Property's 125+/- acres exceeds the Priority acreage for Salem County of 95 acres, so therefore the Property is categorized as a Priority farm; and

WHEREAS, the Property is currently devoted to corn and snap bean production and has 77% prime soils; and

WHEREAS, the owners have read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises for non-contiguous parcels and Non-agricultural uses; and

WHEREAS, a 3-acre non-severable exception area for one existing single family residence on Block 1102, Lot 12 is allocated to the Property; and

WHEREAS, a 12-acre severable exception area restricted to one single family residence on Block 1002, Lot 19 is allocated to the Property; and

WHEREAS, on December 13, 2012, the SADC certified the development easement value of the Property at \$5,000 per acre based on current zoning and environmental conditions as of October 2012; and

WHEREAS, the Owner accepted the SADC's offer to purchase the development easement on the Property at \$5,000 per acre; and

WHEREAS, to proceed with the SADC's purchase of the development easement, various professional services will be necessary including but not limited to contracts, survey, title search and insurance and closing documents; and

WHEREAS, contracts and closing documents for the acquisition of the development easement will be prepared and shall be subject to review by the Office of the Attorney General; and

NOW THEREFORE BE IT RESOLVED that the SADC grants final approval to the Property, for the acquisition of the development easement at a value of \$5,000 per acre (125 easement acres) for a total of approximately \$625,000 subject to the conditions contained in (Schedule B); and

BE IT FURTHER RESOLVED, that the SADC's cost share shall be based on the final surveyed acreage of the Property adjusted for proposed road rights of way, other rights of way or easements as determined by the SADC, tidelands claim and streams or water bodies on the boundaries of the Property as identified in Policy P-3-B Supplement; and

BE IT FURTHER RESOLVED, that contracts and closing documents shall be prepared subject to review by the Office of the Attorney General; and

BE IT FURTHER RESOLVED, the SADC authorizes Secretary of Agriculture Douglas H. Fisher, Chairperson, SADC, or Executive Director Susan E. Payne, to execute an Agreement to Sell Development Easement and all necessary documents to contract for the professional services necessary to acquire said development easement, including but not limited to a survey and title search and to execute all necessary documents required to acquire the development easement on the Property; and

BE IT FURTHER RESOLVED, that this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

1-24-13

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	YES
Fawn McGee (rep. DEP Commissioner Martin)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
James Waltman	YES
Torrey Reade	YES
Peter Johnson	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
Denis Germano	YES

S:\DIRECT EASEMENT PURCHASE\All Counties\SALEM\Olbrich\final approval
resolution.doc

Wetlands



Application within both the (PA4b) Rural Env Sensitive and the (PA5) Env Sensitive Areas

FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Carl Olbrich
Block 1002 Lots P/O 19 (46.8 ac)
& P/O 19-ES (severable exception - 12.0 ac)
Block 1101 Lot 48 (8.8 ac); Block 1102 Lots P/O 12 (28.1 ac);
P/O 12-EN (non-severable exception - 3.0 ac) & 13 (41.0 ac)
Gross Total = 139.7 ac
Pitts Grove Twp., Salem County



DISCLAIMER. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The creation and geo-referencing location of parcel polygons and other spatial data were developed for training purposes. The geographic position of the GIS data contained in this file and the associated metadata are not intended or relied upon by readers requiring delineation and location of true ground conditions. Data for this project was collected from aerial photography and ground truthing. No field controls as would be obtained by an actual ground survey conducted by a licensed land surveyor were used.



Wetlands Legend:
 F - Freshwater Wetlands
 L - Linear Wetlands
 M - Wetlands Modified for Agriculture
 T - Tidal Wetlands
 N - Non-Wetlands
 B - 300' Buffer
 W - Water

Sources:
NIDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJOT/OGIS 2007
Aerial Image
October 3, 2012

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Olbrich Farm
State Acquisition
Easement Purchase - SADC
125 Acres

Block 1002	Lot 19	Pittsgrove Twp.	Salem County
Block 1101	Lot 48	Pittsgrove Twp.	Salem County
Block 1102	Lot 12	Pittsgrove Twp.	Salem County
Block 1102	Lot 13	Pittsgrove Twp.	Salem County

SOILS:	Other	14% * 0	= .00
	Prime	81% * .15	= 12.15
	Unique zero	5% * 0	= .00

SOIL SCORE: 12.15

TILLABLE SOILS:	Cropland Harvested	56% * .15	= 8.40
	Woodlands	44% * 0	= .00

TILLABLE SOILS SCORE: 8.40

FARM USE:	Corn-Cash Grain	33 acres	
	Vegetable & Melons	40 acres	snap beans

This final approval is subject to the following:

1. Available funding.
2. The allocation of 0 Residual Dwelling Site Opportunity(ties) on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
4. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st twelve (12) acres for existing SFR
Exception is severable
Exception is to be restricted to one single family residential unit
 - 2nd three (3) acres for existing SFR
Exception is not to be severable from Premises
Exception is to be restricted to one single family residential unit
 - c. Additional Restrictions: No Additonal Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
No Structures On Premise
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2013R1(18)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

ALLOWAY TOWNSHIP

for the

PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of

James R. Yanus

Alloway Township, Salem County

N.J.A.C. 2:76-17A. et seq.

SADC ID# 17-0116-PG

January 24, 2013

WHEREAS, on December 15, 2007, pursuant to N.J.A.C. 2:76-17A.4, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Alloway Township, Salem County; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, the SADC granted final approval of Alloway Township's PIG plan on November 3, 2011 and approval to its' 2013 PIG plan annual update on May 24, 2012 ; an

WHEREAS, on May 7, 2012, the SADC received an individual application for the sale of a development easement from Alloway Township for the Yanus Farm, identified as Block 13, Lots 14, 14.02 & 16.01, Alloway Township, Salem County, totaling approximately 81 net acres (Schedule A); and

WHEREAS, the Property has been allocated a one (1) acre severable exception area around an existing single family residence; and

WHEREAS, there are no residences on the property to be preserved; and

WHEREAS, at the time of application the Property was in hay production; and

WHEREAS, the owners have read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises and Non-agricultural uses; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on June 15, 2012 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.11, on November 8, 2012 the SADC certified a development easement value of \$5,700/ per acre based on zoning and environment regulations in place as July 1, 2012; and

WHEREAS, the landowner has accepted the offer of \$5,700 per acre from Alloway Township, for the sale of their development easement; and

WHEREAS, to date \$1,250,000 of FY09 and FY11 funding has been appropriated for the purchase of development easements on the eligible list of farms identified in the Township's approved PIG Project Area; and

WHEREAS, to date Alloway Township has not encumbered or expended any of its SADC grant funds; and

WHEREAS, Alloway Township has one other project pending against this balance (Sickler) which has a potential grant need of approximately \$50,000; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm consistent with the provisions of N.J.A.C. 2:76-6.11; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, on November 15, 2012 the Alloway Township Committee approved the application and a funding commitment for an estimated 17.1% (\$975 per acre) of the certified value \$5,700 per acre; and

WHEREAS, the Salem County Agriculture Development Board approved the application on November 28, 2012 and secured a commitment of funding for an estimated \$975/acre from the Salem County Board of Chosen Freeholders for the required local match on December 5, 2012; and

WHEREAS, the estimated cost share breakdown is as follows (based on 81 acres):

	<u>Cost Share</u>	
SADC	\$303,750	(\$3,750/ acre or 65.79%)
Alloway Township	\$78,975	(\$975/ acre or 17.10%)
Salem County	<u>\$78,975</u>	<u>(\$975/ acre or 17.10%)</u>
	\$461,700	(\$5,700/ acre) ; and

WHEREAS, the County will be utilizing an installment purchase agreement ("IPA") to cover its share of the funding for this easement purchase transaction; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.15, the County shall hold the development easement since the County is providing funding for the preservation of the farm; and

WHEREAS, pursuant to N.J.A.C. 2:76-6.11, the SADC shall provide a cost share grant to the Township for up to 50% of the eligible ancillary costs for the purchase of a development easement which will be deducted from its PIG appropriation and subject to the

availability of funds;

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Alloway Township for the purchase of a development easement on the Yanus Farm, comprising approximately 81 net acres, at a State cost share of \$3,750 per acre for an estimated total of \$303,750 (65.79% of certified market value and purchase price) pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule B); and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, if the Township and County agree to the SADC providing its grant directly to Salem County, the SADC shall enter into a Grant Agreement with the Township and County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that all survey, title and all additional documents required for closing shall be subject to review and approval by the SADC; and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

1-24-13

Date

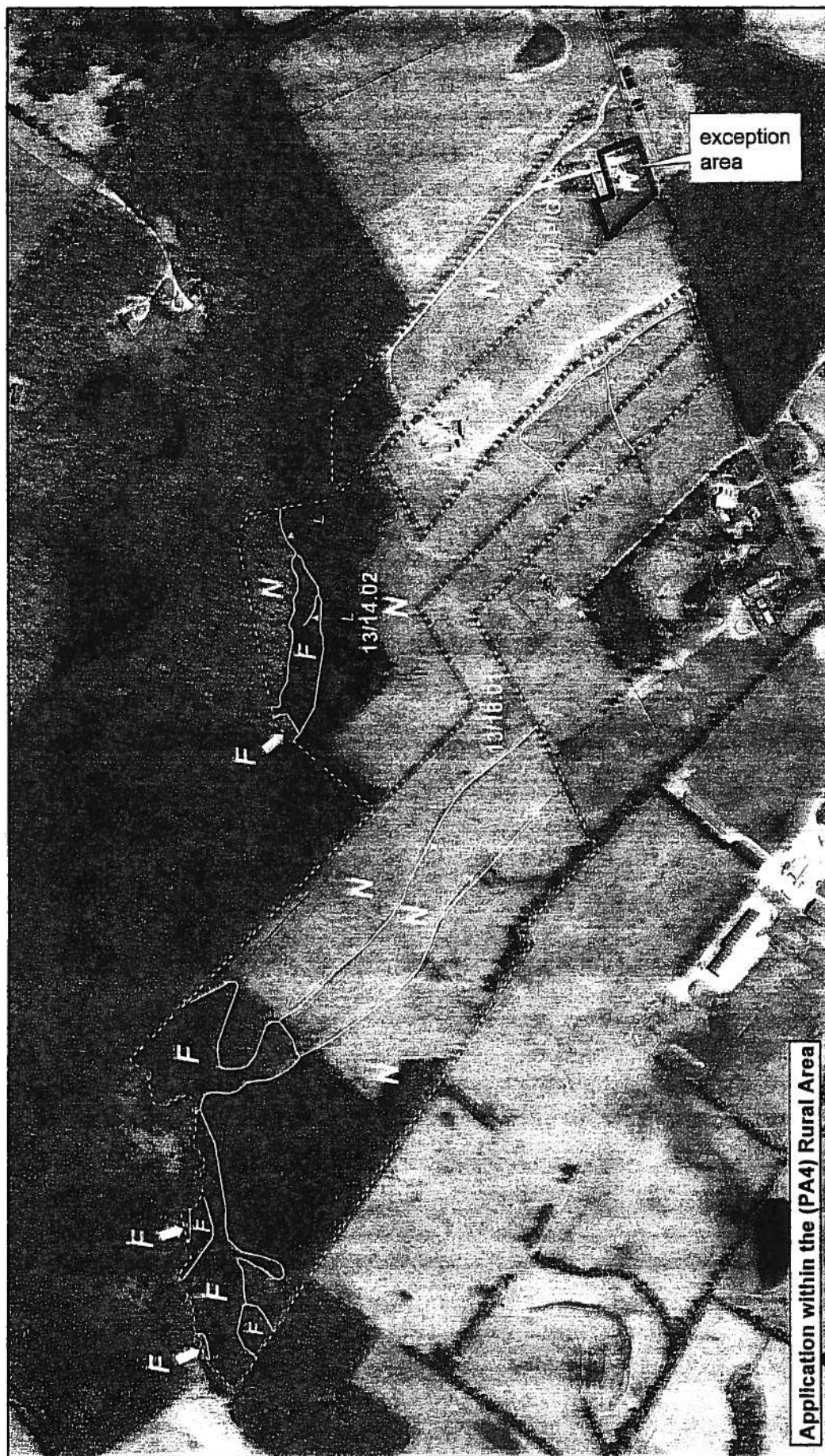


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Fawn McGee (rep. DEP Commissioner Martin)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
James Waltman	YES
Torrey Reade	YES
Peter Johnson	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
Denis Germano	YES

Schedule A



Application within the (PA4) Rural Area

FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

James R. Yanus
Block 13, Lots P/O 14 (10.5 ac); P/O 14-ES (severable exception - 1.0 ac);
14.02 (21.8 ac) & 16.01 (48.2 ac)
Gross Total = 81.5 ac
Alloway Twp., Salem County



DISCLAIMER. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referencing location of parcel polygons in this data are approximate and were developed primarily for planning purposes. This geospatial accuracy and precision of the data contained in this file and shape file is not warranted. The data are not designed to be used for legal purposes. The horizontal and vertical conditions as would be obtained by an actual ground survey conducted by a licensed Professional Surveyor.



Wetlands Legend:
 F - Freshwater Wetlands
 L - Linear Wetlands
 M - Wetlands Modified for Agriculture
 T - Tidal Wetlands
 N - Non-Wetlands
 B - 300' Buffer
 W - Water

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJOTIS 2007/2008 DigitalAerial Image

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Yanus, James R.
17- 0116-PG
FY 2012 PIG EP - Municipal 2007 Rule
81 Acres

Block 13	Lot 14	Alloway Twp.	Salem County
Block 13	Lot 14.02	Alloway Twp.	Salem County
Block 13	Lot 16.01	Alloway Twp.	Salem County

SOILS:	Other	21% * 0	=	.00
	Prime	79% * .15	=	11.85

SOIL SCORE: 11.85

TILLABLE SOILS:	Cropland Harvested	60% * .15	=	9.00
	Other	3% * 0	=	.00
	Wetlands	12% * 0	=	.00
	Woodlands	25% * 0	=	.00

TILLABLE SOILS SCORE: 9.00

FARM USE:	Hay	51 acres
------------------	-----	----------

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st one (1) acres for around existing house
 - Exception is severable
 - Right to Farm language is to be included in Deed of Future Lot
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2013R1(19)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

PITTSGROVE TOWNSHIP

for the

PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of

Ellen Walters

Pittsgrove Township, Salem County

N.J.A.C. 2:76-17A. et seq.

SADC ID# 17-0107-PG

January 24, 2013

WHEREAS, on December 15, 2007, pursuant to N.J.A.C. 2:76-17A.4, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Pittsgrove Township, Salem County; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, the SADC granted final approval of Pittsgrove Township's FY2013 ("PIG") Planning annual update application on May 24, 2012; and

WHEREAS, on October 17, 2011, the SADC received an application for the sale of a development easement from Pittsgrove Township for the Walters Farm, identified as Block 2101, Lots 16 and 17, Pittsgrove Township, Salem County, totaling approximately 19 acres hereinafter referred to as "Property" (Schedule A); and

WHEREAS, the farm's agricultural production at the time of application was hay and pasture; and

WHEREAS, the Property includes one (1) single family residence; and

WHEREAS, the Owner has read and signed SADC Guidance Documents regarding Exceptions, Division of the Premises and Non-agricultural uses; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on November 2, 2011 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.11, on May 24, 2012 the SADC certified a development easement value of \$4,900 per acre based on the current zoning and environmental regulations as of March 14, 2012; and

WHEREAS, the Township has contracted with the Owner for \$4,900; and

WHEREAS, to date \$1,250,000 of FY09 and FY11 funding has been appropriated for the purchase of development easements on the eligible list of farms identified in the Township's approved PIG Project Area; and

WHEREAS, to date Pittsgrove Township has expended all of its FY09 funds and has a balance of approximately \$223,439.49 of its FY11 SADC grant funds (Schedule B); and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, the Pittsgrove Township Committee approved the application and its funding commitment for \$780/acre or 15.92% of the easement purchase on the Walters Farm on January 23, and the Salem County Agriculture Development Board approved the application on November 28, 2012 and secured a commitment of funding for \$780/acre or 15.92% of the easement purchase from the Salem County Board of Chosen Freeholders for the required local match on December 5, 2012; and

WHEREAS, the estimated cost share break down is as follows (based on 19 acres):

	<u>Cost Share</u>	
SADC	\$63,460	(\$3,340/acre or 68.16%)
Pittsgrove Twp.	\$14,820	(\$780/acre or 15.92%)
Salem County	\$14,820	(\$780/acre or 15.92%)
	\$93,100	(\$4,900/acre)

; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.15, the County shall hold the development easement since the County is providing funding for the preservation of the farm; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm consistent with the provisions of N.J.A.C. 2:76-6.11; and

WHEREAS, pursuant to N.J.A.C. 2:76-6.11, the SADC shall provide a cost share grant to the Township for up to 50% of the eligible ancillary costs for the purchase of a development easement which will be deducted from its PIG appropriation and subject to the availability of funds; and

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Pittsgrove Township for the purchase of a development easement on the Walters Farm, comprising approximately 19 acres, at a State cost share of \$3,340 per acre for an estimated total of \$63,460 (68.16% of certified market value and purchase price) pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in (Schedule C); and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, if the Township and County agree to the SADC providing its grant directly to Salem County, the SADC shall enter into a Grant Agreement with the Township and County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that all survey, title and all additional documents required for closing shall be subject to review and approval by the SADC; and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

1-24-13

Date

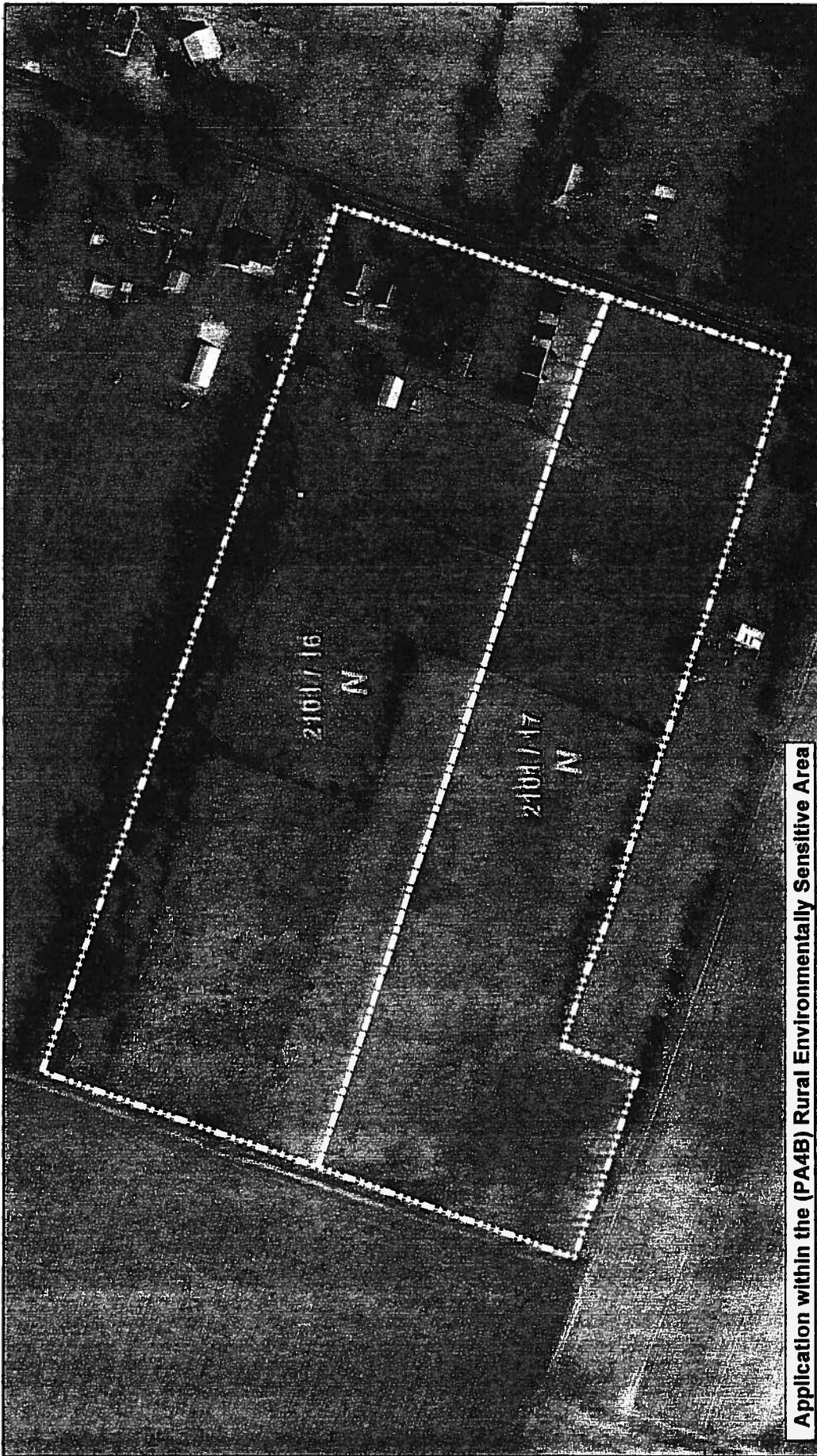


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Douglas H. Fisher, Chairperson	YES
Fawn McGee (rep. DEP Commissioner Martin)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Requa (rep. DCA Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
James Waltman	YES
Torrey Reade	YES
Peter Johnson	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
Denis Germano	YES

Schedule A



Application within the (PA4B) Rural Environmentally Sensitive Area

FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Walters, Ellen & Mesiano, Christine
 Block 2101 Lots 16 (11.12 ac)
 & 17 (8.2 ac)
 Gross Total = 19.32 ac
 Pittsgrove Twp., Salem County



Wetlands Legend:
 F - Freshwater Wetlands
 L - Linear Wetlands
 M - Wetlands Modified for Agriculture
 T - Tidal Wetlands
 N - Non-Wetlands
 B - 300' Buffer
 W - Water

Source:
 NJDEP Freshwater Wetlands Data
 NJDEP Coastal Wetlands Data
 NJDEP Aerial Photographs
 NJDOT GIS 2007/2008 Digital Aerial Image

DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geographic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground border. Interior vertical controls as would be obtained by an actual ground survey conducted by a licensed Land Surveyor.

x:\counties\sasca\projects\Walters11\w.mxd

Schedule 1

Municipal Planning Incentive Grant
Pittsgrove Township, Salem County

Farm	SADC ID#	Acres	Pay Acres	SADC Certified Pay Acres	Negotiated & Approved Pay Acres	SADC Grant Per Acre	SADC Cost Share	Federal Grant		579 - 07 FPF		733 - GSPT		Cum Approp	Balance
								Total	SADC	Expended	Balance	Encumbered	Expended		
Sadeghian	17 0082-PG	58.000	58.154	8,700.00	8,700.00	5,250.00	305,308.50			305,308.50	444,691.50				
Sara & Goren	17 0089-PG	37.708	37.708	7,900.00	7,900.00	4,800.00	180,998.40			180,998.40	253,693.10				
Camp	17 0091-PG	19.956	19.956	8,150.00	8,150.00	4,975.00	99,281.10			99,281.10	164,412.00				
Lenchitz	17 0090-PG	17.692	17.692	7,000.00	7,000.00	4,400.00	77,844.80			77,844.80	86,567.20				
Sadeghian ancillary costs							7,371.36			7,371.36	79,195.84				
Camp & Lenchitz ancillary costs							8,949.00			8,949.00	70,246.84				
Sara Goren Ancillary costs							6,099.00			6,099.00	64,147.84				
Lin	17 0098-PG	18.512	18.512	5,900.00	5,900.00	3,850.00	71,271.20			64,147.84	0.00		7,123.36		492,876.84
Wegner	17 0100-PG	18.636	18.627	6,850.00	6,850.00	4,325.00	80,561.78					181,155.37	80,561.78		412,314.86
Schmidt	17 0095-PG	89.900	89.900	7,100.00		4,450.00	400,055.00	338,899.63					3,838.50		227,320.99
Wagner ancillary costs							3,838.50						3,881.50		223,439.49
Lin Ancillary Costs							3,881.50								159,979.49
Walters	17 0107-PG	19.000		4,900.00	4,900.00	3,340.00	63,460.00					63,460.00			
Total Pending	7	108.900					63,460.00								
Total Encumbered							551,887.98					244,615.37			
Closed/Expended	5	181.992					776,252.44			756,000.00			85,205.14		159,979.49
Total															

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Walters, Ellen and Mesiano, Christina
17- 0107-PG
FY 2011 PIG EP - Municipal 2007 Rule
19 Acres

Block 2101	Lot 17	Pittsgrove Twp.	Salem County
Block 2101	Lot 16	Pittsgrove Twp.	Salem County

SOILS:	Prime	12% *	.15	=	1.80
	Statewide	88% *	.1	=	8.80

SOIL SCORE: 10.60

TILLABLE SOILS:	Cropland Pastured	31% *	.15	=	4.65
	Cropland Harvested	69% *	.15	=	10.35

TILLABLE SOILS SCORE: 15.00

FARM USE:	Hay	7 acres	hay
------------------	-----	---------	-----

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions: No Exceptions Recorded
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
Standard Single Family
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.